

State of Iowa  
1919

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# Journal of the Senate

OF THE

## Thirty-Eighth General Assembly

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REGULAR SESSION  
CONVENED JANUARY 13  
ADJOURNED APRIL 19, 1919



WILLIAM L. HARDING, Governor  
E. R. MOORE, President of the Senate  
A. W. MacFARLANE, Speaker of the House

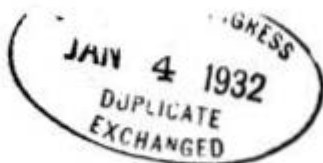
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# THIRTY-EIGHTH GENERAL ASSEMBLY

## OFFICERS OF THE SENATE.

President.....	ERNEST R. MOORE
President Pro Tempore.....	WALLACE H. ARNEY
Secretary.....	THOMAS WATERS, JR.
Secretary Pro Tempore.....	A. C. GUSTAFSON
Assistant Secretary.....	WILL J. PRICE
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Bill Clerk.....	S. I. ZEARFOOS
Postmistress.....	LOU MCHENRY
Sergeant at Arms.....	E. G. STANLEY
Chief Doorkeeper.....	J. H. DOTY

## SUMMARY LEGISLATIVE RECORD.

	Senate	House	Total
Number of bills introduced .....	545	573	1,118
Number of joint resolutions introduced.....	11	5	16
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Total measures considered.....	556	578	1,134
Bills passed and approved, general.....	181	186	367
Bills passed and approved, legalizing.....	15	24	39
Joint resolutions passed and approved.....	5	2	7
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Total measures to become law.....	201	212	413

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THE SENATE OF THE THIRTY-EIGHTH GENERAL ASSEMBLY

Dist.	NAME	P. O. ADDRESS	COUNTIES COMPOSING DISTRICT	OCCUPATION	Nativity	Yrs. in Iowa	Age
47	Adams, Henry C.*	Algona	Clay, Dickinson, Emmet, Kossuth, Palo Alto	Banking and Farm Loans	Iowa	42	42
48	Anderson, Walter W.	Scranton	Carroll, Greene, Sac	Banker and Farmer	Iowa	46	46
28	Arney, Wallace H.*	Marshalltown	Marshall	Banker and Farmer	Iowa	55	55
49	Balkema, Nicholas*	Sioux Center	Lyon, O'Brien, Osceola, Sioux	Merchant	Wis.	34	53
2	Ball, Geo. W.*	Fairfield	Jefferson, Van Buren	Banker, Farmer, Manufacturer	W. Va.	64	70
10	Brookhart, J. L.	Washington	Henry, Washington	Farmer and Lawyer	Mo.	40	47
23	Broxam, A. L.*	Maquoketa	Jackson	Druggist	Iowa	51	51
20	Buser, J. D.	Conesville	Louisa, Muscatine	Farmer	Iowa	51	51
25	Byington, O. A.*	Iowa City	Iowa, Johnson	Lawyer	Iowa	58	58
12	Cessna, T. C.	Grinnell	Keokuk, Poweshiek	Farmer	Penna.	32	51
46	Coburn, George F.*	Marcus	Cherokee, Ida, Plymouth	Farmer	Ill.	44	62
31	Edwards, Ben*	Ames	Boone, Story	Coal and Ice Dealer	Penna.	45	54
39	Evans, W. T.*	Parkersburg	Bremer, Butler	Lawyer	Iowa	49	49
40	Fellows, Albert M.*	Lansing	Allamakee, Fayette	Lumber and Banking	Iowa	54	54
7	Foskett, Herbert I.	Shenandoah	Fremont, Page	Banker	Ill.	40	57
17	Foster, John W.*	Guthrie Center	Audubon, Dallas, Guthrie	Banker and Farmer	Iowa	61	61
1	Fralley, Joseph R.	Ft. Madison	Lee	Lawyer	Iowa	42	42
22	Greenell, W. J.	Clinton	Clinton	Salesman and Investments	Iowa	40	40
24	Hale, J. K.*	Anamosa	Cedar, Jones	Farmer, Mercantile, Grain	Conn.	59	60
26	Haskell, W. G.*	Cedar Rapids	Linn	Merchant and Manufacturer	Iowa	61	61
27	Holdoegel, Perry C.*	Rockwell City	Calhoun, Webster	Farmer, Banker and Telephones	Iowa	49	49
35	Horchem, B. J.	Dubuque	Dubuque	School Principal	Iowa	52	52
19	Kimball, Clem F.*	Council Bluffs	Pottawattamie	Lawyer	Iowa	50	50
21	Kimberly, D. W.	Davenport	Scott	Retired Farmer	S. D.	40	40
41	Kingland, Thomas A.*	Lake Mills	Mitchell, Winnebago, Worth	Lawyer	Iowa	43	43
4	LeCompte, Karl M.*	Corydon	Lucas, Wayne	Publisher	Iowa	31	31
29	Meredith, David	Lynnville	Jasper	Farmer and Stockman	Iowa	51	51
14	Mitchell, Elmer E.*	New Sharon	Mahaska	Farmer and Stockman	Iowa	52	52
18	Nelson, Julius A.	Atlantic	Cass, Shelby	Farmer	Iowa	47	47
36	Newberry, Byron W.*	Strawberry Point	Clayton	Lawyer	Ohio	63	65

30	Parker, Addison M.	Des Moines	Polk	Lawyer	Iowa	40	40
34	Pitt, Milton B.	Logan	Crawford, Harrison, Monona	Farmer	Iowa	42	42
15	Price, John R.*	Albia	Marion, Monroe	Lawyer	S. Wales	37	43
11	Proudfoot, Aaron V.*	Indianola	Clarke, Warren	Lawyer	Iowa	56	56
38	Rainbow, J. J.	Waterloo	Black Hawk, Grundy	Auditor	N. Y.	62	63
8	Ratcliff, W. C.*	Red Oak	Mills, Montgomery	Lawyer	Iowa	37	37
42	Reed, Carl W.	Cresco	Howard, Winneshiek	Lawyer	Iowa	45	45
43	Rule, A. L.*	Mason City	Cerro Gordo, Franklin, Hancock	Lawyer	Iowa	42	42
37	Schaffter, Eugene	Eagle Grove	Hamilton, Hardin, Wright	Lawyer	Va	36	54
44	Scott, W. H.	Nashua	Chicasaw, Floyd	Lawyer	Iowa	30	35
6	Shane, F. E.*	Nodaway	Adams, Taylor	Banker	Iowa	42	42
16	Smith, Ed. M.*	Winterset	Adair, Madison	Publisher	Iowa	48	48
5	Stephenson, James A.*	Mount Ayr	Decatur, Ringgold, Union	Farmer	Penna	51	53
32	Stoddard, B. M.*	Sloan	Woodbury	Grain Dealer	Ill	18	48
33	Taylor, Thomas E.*	Independence	Buchanan, Delaware	Farmer	Ill	53	54
9	Thompson, Frank E.	Burlington	Des Moines	Attorney	Iowa	45	45
50	Van Alstine, H. S.	Gilmore City	Buena Vista, Humboldt, Pocahontas	Banker	Ill	48	49
45	White, Harry C.	Garrison	Benton, Tama	Farmer and Banker	Ohio	48	49
13	Whitmore Chester W.	Ottumwa	Wapello	Lawyer	Iowa	40	50
3	Wilson, James M.*	Centerville	Appanoose, Davis	Lawyer	Ill	36	52

\*Term expires January, 1921.

#### ADDITIONAL INFORMATION AS TO MEMBERS OF THE SENATE.

*Former Legislative Service*—Adams, S. 37; Anderson, H. 35, 36, 37; Arney, H. 32, 33, S. 35, 36, 37; Balkema S. 33, 34, 35, 36, 37; Ball, H. 22, 23, 36, S. 37; Broxam, S. 37; Byington, H. 26, S. 37; Coburn, H. 28, 29, 30, 31, S. 37; Edwards, S. 37; Evans, S. 37; Fellows, S. 35, 36, 37; Foskett, S. 36, 37; Foster, S. 36, 37; Fralley, S. 36, 37; Hale, H. 36, S. 37; Haskell, S. 37; Holdoegel, S. 37; Horchem, H. 36, 37; Kimball, S. 35, 36, 37; Kimberly, H. 36, 37; Kingland, H. 35; S. 37; LeCompte, S. 37; Meredith, H. 35, 37; Mitchell, S. 37; Newberry, S. 30, 31, 32, 37; Parker, S. 36, 37; Price, S. 37; Proudfoot, S. 33, 34, 37; Pitt, H. 36, 37; Ratcliff, S. 37; Rule S. 37; Smith, S. 37; Stephenson, H. 34, S. 37; Taylor, H. 35, S. 37; Thompson, S. 36, 37; Van Alstine, S. 37; White, H. 34, 35, S. 36, 37; Whitmore, S. 36, 37; Wilson, S. 35, 36, 37.

*Military Service*—Adams, Hospital Steward, Spanish-American War; Brookhart, I. N. G.; Fralley, 2d Lieut. Co. F, 50th Iowa Inf., Spanish-American War; Kingland, Sergt. and 2d Lieut. 56th Regt. I. N. G.; Ratcliff, Co. M, 55th I. N. G.; Reed, Capt. Co. E, 49th (later 53d Inf.), I. N. G.; Rule, Maj. and Asst. Insp. Gen. I. N. G.; Co. C, I. N. G.; Thompson, I. N. G.; Whitmore, 4th Regt. I. N. G.

# THE LEGISLATIVE OUTPUT

List of Bills Enacted into Law, Classified, with File Numbers and Chapter Numbers.

## APPROPRIATIONS AND EXPENDITURES.

### S. F.

- 62. Expenses inaugural ceremonies, \$567.25. (9)
- 72. For survey of river lands, \$67. (360)
- 73. For state court building to cost \$1,000,000. (349)
- 102. For P. K. Holbrook expenses on board of education, \$561.52. (90)
- 123. For deficiency in state house support, \$20,000. (18)
- 137. Pay for taking vote at the war camps, \$2,598. (276)
- 192. For land and paving for state fair ground, \$63,000. (126)
- 193. Cattle barn for the state fair, \$150,000. (132)
- 278. Annual allowance of state aid for poultry associations. (279)
- 499. State aid for horticultural exposition, \$8,000. (395)
- 523. Appropriation for dairy, beef and grain, \$32,500 annually. (350)
- 531. For state parks, \$100,000. (368)
- 532. Investigation of interstate railroad cases, \$85,700. (358)
- 533. Increase annual appropriation for weather and crop service. (363)
- 534. Appropriation for the state entomologist. (305)
- 536. Appropriation for Judge Mullan for expenses, \$209.66. (359)

### J. R.

- 6. Aid for federal employment bureau, \$6,000. (39)

### H. F.

- 12. Vocational education appropriation of \$90,000. (337)
- 107. Appropriating for Roy Harrison for injuries, \$750. (404)
- 110. Vocational board appropriation for deficiency, \$2,050. (81)
- 216. Water system completion at Cherokee hospital. (119)
- 272. For paving highway at school for deaf, \$22,000. (401)
- 314. For John Miller as member of Delaware county guards, \$300. (402)
- 335. Appropriating for fight on animal tuberculosis, \$200,000. (287)
- 533. For Franklin county farmers' institute, \$75. (233)
- 573. The omnibus appropriation measure for state purposes. (273)

## BUSINESS, COMMERCE, BANKS, INSURANCE.

### S. F.

- 7. Anti-combine law to apply to all insurance companies. (318)
- 74. Regulating mussel shell industry. (98)
- 82. Uniform law on sales of goods. (396)
- 121. Relating to non-use of charter of corporation. (374)

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NOTE—Figures in ( ) are Chapter numbers in the Session Law.

- 159. Amending the workmen's compensation law. (220)
- 261. Banks to conform to federal reserve act. (319)
- 265. Increase of number of state bank examiners. (335)
- 321. Exempting labor unions from anti-combine law. (213)
- 324. Taxation of money of domestic insurance companies. (371)
- 387. Insurance against loss by alteration of checks. (372)
- 436. Relating to insurance policies held in trust by company. (304)
- 458. For fraternal limited life policies. (227)
- 476. Limiting number of banks in the state. (236)
- 479. Non-taxation of government securities owned by banks. (257)
- 491. Relating to beneficiaries under insurance policies. (240)
- 497. Authority to reorganize a fraternal into an insurance company. (302)

H. F.

- 94. Relating to auctions held by a non-resident. (47)
- 119. Time for filing claims on building construction. (53)
- 148. Authority for live stock insurance. (346)
- 189. Cemetery fund investment in government bonds. (55)
- 197. Authorizing professional mutual insurance. (286)
- 224. Contractors on public work to be under bond. (347)
- 294. Bankers' acceptances and bills of exchange legalized. (66)
- 295. Directors of savings banks limited in number. (60)
- 296. Relating to bank reserves for state organized banks. (67)
- 307. Relating to liens on personal property and release. (231)
- 365. Prohibiting commissions for sale of bank stock. (144)
- 398. Regulation of loaning corporations. (151)
- 523. Insurance for doctors and dentists against mistakes. (330)
- 534. Forbidding false pedigrees for goats and poultry. (262)
- 546. Defining and authorizing group life insurance. (197)
- 547. Authority for additional insurance examiners. (348)
- 553. Fraternal to issue limited payment policies. (343)

CITY AND TOWN AFFAIRS.

S. F.

- 14. Park commission to have authority over river front parks. (97)
- 65. Increased compensation for assessors in cities. (103)
- 87. Railroad viaduct law to apply to cities of 5,000 or over. (106)
- 91. Relating to adoption of revised city ordinances. (21)
- 142. Public utility trustees appointed in certain cities. (85)
- 174. Authority to put in mains before a street is paved. (92)
- 188. Increase of the limit for the sewer tax in cities. (394)
- 190. Authorizing special tax levy in cities for deficiency. (263)
- 214. Regulation of plumbing by cities. (378)
- 340. Relating to sewers under and pavements on streets. (101)
- 443. For juvenile playgrounds in special charter cities. (222)
- 504. Streets to be brought to grade before acceptance of plat. (241)
- 513. Relating to posting notices of assessment against property. (386)
- 514. Relating to posting notices of bids on town work. (383)
- 515. Relating to posting notices of public hearings on town work. (384)

## H. F.

- 7. Joint action by cities in building sewers. (407)
- 9. Levy of taxes for park and other purposes. (168)
- 35. Authorizing establishment of building lines in cities. (145)
- 36. Use of old material from a street in repaving. (25)
- 72. Authorizing tax levy for a fire department. (259)
- 77. Relating to time of commencement of firemen's pensions. (19)
- 88. Relating to budget system for cities and towns. (112)
- 116. Relating to time of commencement of police pension. (45)
- 131. Tax levy for park improvement purposes. (46)
- 133. Tax levy limit for fire department purposes. (148)
- 139. Providing for storm sewers. (59)
- 168. Relating to size of city for a municipal court. (142)
- 205. Relating to taxes for equipment of fire department. (159)
- 208. Appointment of city and town engineers. (147)
- 213. Pay of mayor in special charter city. (178)
- 214. Increasing alderman's salary in special charter cities. (177)
- 215. Cities to own memorial art buildings. (170)
- 228. Authority for cities to guard against flood dangers. (285)
- 251. Relating to duties of park commissioners. (312)
- 252. Authorizing bond issue for construction of town hall. (247)
- 266. Cost of building temporary sidewalks. (150)
- 319. Rights of mayor in special charter city. (185)
- 357. Authority to raise funds for sewer construction. (243)
- 358. Limit of indebtedness on account of sewers. (250)
- 384. Relating to board of review in certain cities. (244)
- 392. Relating to community center on city property. (184)
- 418. Passage of town ordinances by majority vote. (255)
- 419. Relating to issue of warrants in special charter city. (339)
- 452. Maintenance of street improvements four years. (234)
- 470. Consolidation of registration districts in cities. (180)
- 494. Relating to city marshal on police retirement board. (344)
- 526. Relating to ownership of city waterworks. (288)
- 565. Use of exhaust steam for making ice by cities. (326)

## COURTS, JUDICIARY, JURIES, COURT PROCEDURE.

## S. F.

- 24. Shorthand reporters in court to get \$10 per day. (268)
- 26. Witnesses in civil action to go 100 miles on subpoena. (22)
- 42. Use of funds from sale of churches after five years. (102)
- 54. Relating to pay of expenses for jury commission. (193)
- 80. Relating to time for commencing actions on judgments. (96)
- 90. Relating to notice of the probate of a will. (88)
- 93. Limiting time for commencing action on real estate claims. (270)
- 96. Municipal court bailiff to retain mileage and expense fees. (42)
- 99. Legalizing decrees of court on defective publication. (89)
- 109. Relating to time for motion for new trial. (11)
- 111. Change of venue in land condemnation suits repealed. (189)
- 116. Regulation of challenges and selection of jury. (40)
- 119. Relating to share of estate not affected by a will. (192)



- 238. Extending to 60 days time for filing sub-contractor's lien. (380)
- 253. Increasing limit of expense allowable to district judge. (70)
- 267. Revision of law as to selection of juries by commission. (211)
- 272. Relating to number of talesmen drawn for jury service. (223)
- 281. To punish for criminal syndicalism. (382)
- 302. Authorizing adjournment of court over the telephone. (190)
- 326. Judgments and pleas in vacation and filing of decrees. (229)
- 351. Relating to surety bond of an administrator. (130)
- 402. To punish for falsifying corporation books. (210)
- 437. Probate of uncontested wills before clerk of the court. (357)
- 464. Forbidding sale of mortgaged property. (313)
- 529. Compensation for sale of property by executors. (391)

**H. F.**

- 4. Official legal notice to be in the English language. (82)
- 19. Repeal of law as to non-partisan election of judges. (63)
- 26. Relating to partition fences between timber tracts. (52)
- 54. Method of election for a municipal court. (16)
- 68. Certification of reporters for courts. (258)
- 121. Alimony money not exempt from execution for debts. (65)
- 190. Relating to peace officers' free passes on street cars. (174)
- 199. Legalizing incorporations on defective publications. (158)
- 209. Increase of fees for court witnesses. (61)
- 218. Jurisdiction in cases of escape from prison. (83)
- 234. Effect of reversal of criminal case by supreme court. (117)
- 262. Relating to pay of clerk of grand jury. (254)
- 264. Juvenile courts to deal with neglected children. (246)
- 269. Pay of appraisers of damages and commissioners. (76)
- 303. Method of election of municipal judges. (163)
- 345. Cancellation of a record of attachment. (338)
- 389. Pay of jurors in municipal court. (161)
- 435. Selection of jurors for superior courts. (251)
- 436. Selection of jurors in superior court in certain cities. (245)
- 471. Relating to legality of certain acknowledgments. (181)
- 535. Additional tax levy for court in Des Moines. (155)

**COUNTY AND TOWNSHIP AFFAIRS.**

**S. F.**

- 47. Surveyors authorized for abandoned river channels. (32)
- 86. Increasing pay for probation officers in certain counties. (41)
- 124. Increase of compensation to county officers. (293)
- 122. Manner of revoking order for aid for widowed mothers. (107)
- 127. Records of transcripts of conveyances of real estate. (166)
- 161. Justice of the peace fees and compensation. (216)
- 162. Requiring that chattel mortgages be filed and indexed. (352)
- 173. Relating to records of the board of supervisors. (317)
- 186. Requiring that all engineers be examined and certified. (392)
- 297. Increase in pay to members board of supervisors. (104)
- 304. Authority to destroy certain old county records. (387)
- 308. Compensation of deputy county officers. (278)
- 429. Providing for loose leaf and card entries as evidence. (393)

**H. F.**

- 18. Quarterly settlement of fees of county recorders. (23)
- 29. Increasing state aid for a county fair. (175)
- 37. Increasing mileage fee of a constable. (48)
- 38. Relating to adjournment of board of supervisors meeting. (26)
- 40. Requiring annual reports on domestic animal fund. (15)
- 41. State aid for county fairs apply annually. (140)
- 49. Increase of bounty on wild animals. (249)
- 53. Requiring vote on erection of a new county home. (71)
- 62. Free certification of pension records. (28)
- 65. Power of county in purchase of land for county use. (73)
- 108. Increasing aid for a blind person by a county. (200)
- 141. Recording of decisions as to partition fences. (33)
- 169. Re-establishment of government corner markers. (405)
- 170. Relating to fees and compensation of coroners. (122)
- 260. County support of farm improvement associations. (36)
- 268. Publication of statement of county home finances. (260)
- 275. Relating to salary of deputy county superintendent. (311)
- 283. County aid for free public library by taxation. (252)
- 317. Authority for condemnation of property for fair purposes. (292)
- 343. Increase of pay of county attorneys. (232)
- 423. Increasing compensation for boarding prisoners. (256)
- 496. Requiring interest on township funds on deposit. (261)
- 516. Authorizing donation of island for county purposes. (111)
- 529. Relating to payment for surveys by federal government. (410)

**EDUCATION, COLLEGES, SCHOOLS, TEACHERS.**

**S. F.**

- 77. Increase of expense pay for county superintendent. (303)
- 154. College students authorized for school teaching. (187)
- 175. Part-time schools authorized in certain places. (94)
- 203. Appropriating for educational institutions \$2,258,000. (375)
- 282. Appropriating \$100,000 for standardizing public schools. (364)
- 287. Relating to salary of superintendent of school for deaf. (128)
- 296. Relating to fixing boundaries of consolidated school districts. (149)
- 300. Revision of teachers' minimum wage law. (351)
- 316. Special tax levy for acquisition of school sites. (125)
- 357. School relief in mining camps \$50,000. (373)
- 425. Qualifications for receiving state teaching certificates. (280)
- 477. Limit of indebtedness for school house and site. (314)
- 494. Contingent fund at school for deaf, \$22,500. (264)
- 510. Encouragement of agricultural training in schools. (354)
- 522. Authorizing maintenance of teachers' employment bureau. (298)
- 530. For completion of school district consolidation. (277)

**H. F.**

- 6. Requiring English language to be used in schools. (198)
- 11. Attendance of children at part-time schools. (139)
- 27. Fixing length of school year at 36 weeks. (24)

**H. F.**

- 66. Increasing estimate of school fund taxes. (77)
- 85. Course of study in citizenship for schools. (406)
- 103. Increasing tax support for a consolidated school. (116)
- 111. Increasing tuition for non-resident pupils in high school. (72)
- 196. Relating to settlement as to school district boundaries. (113)
- 206. State aid for normal training increasing. (230)
- 233. Relating to school terms in small schools. (143)
- 243. Special appropriations at state university, \$480,000. (403)
- 248. Relating to defects in issue of school bonds. (134)
- 257. Compulsory attendance of deaf at the state school. (120)
- 302. Organization of a county board of education. (56)
- 332. Qualifications for examination of teachers. (156)
- 342. Increase in state appropriation for consolidated schools. (291)
- 344. Relating to granting provisional teachers' certificates. (408)
- 351. Appointment of a board of school directors. (201)
- 382. Relating to enforcement of certain school laws. (340)
- 410. Relating to contracts for teaching school. (310)
- 431. Reversion of unused school sites to original owner. (342)
- 484. Relating to funds for purchase of school library. (345)

**J. R.**

- 4. Approving estimates on state educational buildings. (411)

**ELECTIONS, BALLOTS, VOTING, FRANCHISE.**

**S. F.**

- 21. Amending law as to ballot for electors and senators. (86)
- 76. Relating to time of withdrawal of a candidate from ballot. (100)
- 228. Reducing election boards where voting machine is used. (69)
- 431. Giving women right to vote for presidential electors. (353)

**J. R.**

- 7. Constitutional amendment for suffrage for women. (110)

**H. F.**

- 123. Relating to nomination by writing on the ballot. (253)

**GENERAL ASSEMBLY, BILLS, CODE, LAW.**

**S. F.**

- 13. Session law of the 38th G. A. edition of 6,000. (14)
- 210. Codification of law by a commission. (50)
- 524. Relating to printing the proposed code. (297)

**J. R.**

- 3. Providing additional employees for general assembly. (5)
- 5. Fixing salaries of officers of the general assembly. (4)

**H. F.**

- 1. Relating to employees of the general assembly. (1)
- 325. For automatic voting system in house chamber, \$18,000. (322)
- 540. Subpoena of witnesses for legislative committee. (79)
- 541. Testimony given to a legislative committee. (68)

HEALTH, SANITATION, DAIRY AND FOOD.

S. F.

- 25. Health physician to be member of local board of health. (87)
- 94. Appropriation with regard to venereal diseases. (299)
- 97. Relating to time of confinement of live stock in transit. (108)
- 167. Contracts for free dental service for the poor. (225)
- 168. Free dental clinics for school children on contracts. (91)
- 178. Revision of dairy and food department law and salaries. (206)
- 205. Regulating the making and sale of process butter. (127)
- 212. Regulation of the trade in hog cholera serum. (379)
- 276. Revision of weights and measures law. (99)
- 329. Regulation of the traffic in eggs. (274)
- 332. Relating to vote for contagious disease hospitals. (239)
- 456. Additional power to city in matters of cleaning up for health. (316)
- 462. Relating to detention homes built by counties. (369)
- 475. The housing law of Iowa. (123)
- 500. Contingent fund for state board of health \$15,000 annually (388)

H. F.

- 201. Forbidding destruction of food products. (179)
- 222. Revision of law as to dairy and food department. (284)
- 225. Regulating business of disposal of dead animals. (248)
- 232. Free hospital service for poor people at the university. (78)
- 253. Relating to hotel inspection law. (202)
- 255. Authorizing the inspection of hotels. (182)
- 346. Quarantine of influenza as a contagious disease. (80)
- 433. Management of hospitals for treatment of tuberculosis. (398)
- 510. Warning cards placed on houses for communicable disease. (397)
- 557. Authority for visiting nurses for schools. (290)

HIGHWAYS, DRAINAGE, MOTOR VEHICLES.

S. F.

- 51. Increasing to 2 mills township road dragging tax levy. (242)
- 145. Early cutting of certain noxious weeds along highways. (228)
- 163. Relating to drainage of Goose lake. (44)
- 255. Relating to transmission lines along highways. (267)
- 274. Drainage bonds may be issued for period of 20 years. (271)
- 285. Increase of the tax levy limit for bridge purposes. (355)
- 317. For highway along shore of Spirit Lake, \$12,000. (269)
- 322. Joint action of cities in improving a highway. (315)
- 341. Cutting of weeds on highways and authority therefor. (194)
- 407. Transfer of motor vehicle department to state treasurer. (51)
- 449. Increase compensation of members of state highway commission. (361)
- 543. Limiting meaning of the term chauffeur. (370)

H. F.

- 14. Repeal of law as to wide tired vehicles. (118)
- 47. Payment of drainage assessments in installments. (64)

- 70. Payment for survey of drainage district. (29)
- 71. Issue of ditch warrants for drainage of highways. (30)
- 118. Removal of obstructions from drainage districts. (121)
- 132. Relating to establishment of inter-county drains. (54)
- 202. Relating to highways on county lines. (320)
- 227. Authorizing sale of certain lake beds. (203)
- 284. Preservation of engineers' notes in drainage matters. (141)
- 293. Relating to notices regarding drainage districts. (138)
- 312. Relating to funds for construction of county bridges. (336)
- 313. Authorizing completion of drainage district under old law. (334)
- 326. Relating to legality of certain drainage bonds. (135)
- 414. Record of drainage warrants to be kept. (162)
- 420. Penalty for illegal construction of transmission line. (399)
- 430. Apportionment of cost of care of drains. (332)
- 500. Division of drainage districts. (283)
- 548. Highway law revision. (237)
- 550. The automobile law. (275)

**INTOXICATING LIQUORS.**

**S. F.**

- 240. Condemned liquors to go to hospitals or for state use. (266)
- 275. Repeal of section on liquor sales near camp meeting. (212)
- 481. Authority for purchase of wines for sacramental purposes. (221)

**J. R.**

- 1. Ratifying prohibitory amendment. (2)

**MILITARY, WAR, SOLDIERS.**

**S. F.**

- 8. Authority for parole of honorably discharged soldier. (219)
- 138. Deficiency in the fund for the military census, \$480.05. (84)
- 381. Relating to exemption from taxation of soldier's property. (214)
- 405. Tax exemption for soldiers \$700 on taxable value of property. (377)
- 459. Fixing allowance for new units of the national guard. (362)

**H. F.**

- 17. Relating to recording of soldiers' discharge papers. (34)
- 102. Forbidding use of red flag to incite sedition. (199)
- 290. Ex-soldiers entitled to attend public schools. (160)
- 347. For use of Iowa soldiers in hospitals \$25,000. (289)
- 362. Publication of history of Iowa soldiers, \$20,000. (331)
- 537. Free recording of soldiers' discharge papers. (62)

**STATE CAPITOL AND STATE OFFICERS.**

**S. F.**

- 67. Fee for renewal of pharmacy certificates \$2 a year. (95)
- 118. Relating to annual reports from corporations. (205)
- 248. Authority to mine the coal under state fair ground. (188)
- 271. Increase of pay of examiners of municipal accounts. (301)
- 291. Medical librarian in state library at \$2,000 a year. (367)
- 312. Increase salary of secretary board of agriculture. (365)

xiv ACTS OF THE THIRTY-EIGHTH GENERAL ASSEMBLY

- 363. Extradition agents and payment of their expenses. (131)
- 420. Correction in regard to U. S. senators' appointment. (215)
- 430. Increasing membership of animal health commission. (238)
- 480. Increase in number of assistants in executive council. (409)
- 495. Relating to boundaries of the capitol grounds. (306)
- 535. Extending limits of capitol grounds. (381)
- 537. Collateral inheritance tax collections \$15,000 annually. (300)
- 541. Compensation of state officials and employees. (272)

H. F.

- 122. State agents to be under bond and increasing allowance. (327)
- 249. Referring all pardon cases to the parole board. (173)
- 265. Mileage of members state board of education. (74)
- 361. Fee for reciprocal certificates to practice pharmacy. (176)
- 417. Compensation of oil inspector increased. (329)
- 497. Traveling expenses of secretary of pharmacy commission. (183)
- 564. Relating to office of state document editor. (413)

J. R.

- 5. Relating to checking up on automobile department. (412)

STATE INSTITUTIONS AND STATE AFFAIRS.

S. F.

- 17. Relating to children to be sent to the orphan's home. (12)
- 29. Special fund for state institutions, \$834,150. (204)
- 32. Authorizing sale of state land in Lyon county. (17)
- 60. Increasing board of control agents to six. (105)
- 79. For laboratory at Oakdale and equipment \$28,000. (191)
- 88. Increase of support fund for state institutions. (37)
- 103. Paving highway to hospital at Cherokee, \$37,000. (226)
- 115. Increase pay for employees at prison and reformatory. (207)
- 132. Relating to admission of wives of soldiers at the home. (196)
- 158. Increase of salaries at three state institutions. (390)
- 227. For a juvenile home under board of control \$108,700. (165)
- 277. For psychopathic hospital at Iowa City \$175,000. (235)
- 294. Increase of salary of commandant soldiers' home. (307)
- 339. For homoepathic hospital at state university. (109)
- 371. Abolition of the institution for inebriates. (366)
- 392. Forbidding taking drugs into feeble minded institutions. (217)
- 394. Making feeble minded persons wards of the state. (281)
- 516. For railroad track at soldiers' home \$23,000. (294)
- 525. Care and detention of feeble minded persons. (356)

H. F.

- 44. Institution at Anamosa named "Men's Reformatory." (27)
- 73. For eradication of the barberry. (8)
- 187. Increase salary of superintendent at Glenwood. (75)
- 318. Admissions to the sanatorium for tuberculosis. (171)
- 416. Liability for cost of keeping insane or idiotic. (309)
- 502. For cottage for girls at industrial school, \$40,000. (186)
- 528. Appropriation for inspection of private insane hospitals. (308)

- 536. Inspection of county hospitals by board of control. (341)
- 560. Relating to cost of highways near state institutions. (400)

**TAXATION, ASSESSMENTS, LEVIES.**

**S. F.**

- 55. Requiring furnishing list of poll tax dues. (385)
- 95. Requiring levy of taxes for care of cemeteries. (218)
- 345. Requiring fruit trees on reservations to be pruned. (224)
- 390. Increase of pay for printing delinquent tax lists. (389)
- 545. Fixing state revenue two years \$15,800,000. (376)

**H. F.**

- 84. Authorizing excess tax to meet possible deficiency. (57)
- 130. Time for tax levy for improvement of lakes. (58)
- 165. Exempting farm produce from taxation to the producer. (115)
- 566. Tax to aid in reconstruction of abandoned railroad. (328)

**LEGALIZING, LAND PATENTS, ETC.**

**S. F.**

- 37. Legalizing—Acts of cemetery association in Cherokee county. (10)
- 52. Legalizing—reincorporation of building and loan association. (13)
- 98. Legalizing—warrants issued by city of Oelwein. (35)
- 171. Legalizing—incorporation of company in Muscatine. (93)
- 217. Legalizing—special election in Maquoketa. (43)
- 224. Legalizing—deed to land in Wayne county. (129)
- 258. Legalizing—School election in Missouri Valley. (49)
- 330. Legalizing—certain warrants city of Burlington. (124)
- 410. Legalizing—warrants and bonds issued at Panora. (208)
- 440. Quitclaim title to land in Davis. (195)
- 442. Legalizing—platting of ground at Long Grove. (164)
- 457. Legalizing—Acts of county superintendent of Floyd county. (209)
- 503. Legalizing—warrants issued in Wapello county. (265)
- 518. Correcting error as to title to land in New Rippey. (296)
- 527. Legalizing—election for issue of bonds in Oakland. (295)

**H. F.**

- 5. Legalizing—school election at Dallas Center. (3)
- 31. Legalizing—relating to school district at Bouton. (282)
- 13. Legalizing—school election in Des Moines county. (6)
- 50. Legalizing—Warrants and bonds at Sac City. (7)
- 180. Legalizing—school bonds at Dow City. (20)
- 204. Legalizing—Incorporation of Hillcrest Deaconess Home. (38)
- 242. Land patent—for land in Poweshiek county. (137)
- 366. Legalizing—formation of school district Humboldt county. (31)
- 372. Land patent—for land in Mahaska county. (323)
- 385. Legalizing—ordinances of town of Madrid. (136)
- 391. Legalizing—warrants issued by city of Perry. (167)
- 409. Legalizing—transfer of certain funds in Dubuque. (114)
- 439. Legalizing—warrants and bonds in Dallas Center. (152)

453. Legalizing—formation of drainage district Palo Alto county. (169)  
 456. Legalizing—warrants and bonds by town of Adel. (153)  
 458. Legalizing—action of drainage district Louisa county. (172)  
 459. Legalizing—issue of school bonds in Des Moines county. (133)  
 466. Land patent—for land in Marion county. (157)  
 479. Land patent—for land in Greene county. (154)  
 495. Legalizing—acts of certain notaries public. (146)  
 567. Legalizing—warrants of school district at Fairbank. (324)  
 568. Legalizing—franchise grant in Buchanan county. (333)  
 569. Legalizing—franchise ordinance at Hazleton. (325)  
 570. Legalizing—franchise ordinance at Oelwein. (321)

MEMBERS OF THE HOUSE.

Member	County	Member	County
Adkins	O'Brien	Messer	Johnson
Alderman	Story	Miles	Jackson
Allyn	Ringgold	Miller	Boone
Anderson	Winneshago	Miller	Dubuque
Becker	Clayton	Miller	Lucas
Beensan	Allamakee	Mills	Harrison
Boase	Buchanan	Moen	Lyon
Bradley	Pocahontas	Moore	Guthrie
Brown	Mitchell	Moorehead	Scott
Clark	Linn	Morgan	Jasper
Coakley	Union	Morrow	Van Buren
Davidson	Page	Mooty	Grundy
Dean	Osceola	Nebeker	Des Moines
Darbin	Mills	Neff	Pottawattamie
Edgington	Monona	Newton	Cass
Edson	Buena Vista	O'Donnell	Dubuque
Epps	Wapello	Oertel	Lee
Finch	Ida	Parsons	Calhoun
Findlay	Webster	Perkins	Sac
Finley	Henry	Peters	Dallas
Flenniken	Jones	Powers	Crawford
Francis	Taylor	Price	Dickinson
Garber	Decatur	Quick	Clinton
Garber	Floyd	Rogers	Carroll
Gilmore	Clay	Santee	Black Hawk
Giltner	Monroe	Sayers	Iowa
Griffin	Woodbury	Saylor	Bremer
Gunderson	Pocahontas	Scott	Appanoose
Hanna	Benton	Scott	Marshall
Hansen	Scott	Slaught	Wapello
Harrington	Kossuth	Slosson	Worth
Hauge	Polk	Smith	Clinton
Holloway	Fremont	Sorlien	Humboldt
Hook	Winneshick	Springer	Louisa
Ingersoll	Tama	Sterling	Hamilton
Justice	Shelby	Stone	Sioux
Kellogg	Adams	Stuart	Emmet
Keppie	Chickasaw	Sutherland	Washington
Kern	Warren	Temple	Clarke
King	Hardin	Ulstad	Wright
Klaus	Delaware	Van Camp	Muscatine
Knickerbocker	Linn	Vance	Madison
Krouse	Wayne	Vander Ploeg	Marion
Lake	Woodbury	Wallace	Howard
Langftt	Adair	Walrath	Fayette
Larson	Cedar	Weaver	Polk
Larson	Montgomery	Westervelt	Greene
LeValley	Franklin	Wichman	Hancock
Lockin	Cherokee	Williams	Pottawattamie
Long	Jefferson	Wilson	Mshaska
McGhee	Cerro Gordo	Windett	Keokuk
Mants	Audubon	Wormley	Plymouth
Mayne	Palo Alto	Young	Davis
Mead	Butler		



# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 13, 1919.

Pursuant to law, the Senate of the Thirty-eighth General Assembly convened at 10 o'clock a. m., and was called to order by Lieutenant-Governor E. R. Moore.

Prayer was offered by First Lieutenant M. A. Seymour, chaplain of the Second U. S. Infantry.

## TEMPORARY OFFICERS.

Senator Kimball moved that the following named persons be made the temporary officers of the Senate:

Secretary, A. C. Gustafson.  
First Assistant Secretary, Will J. Price.  
Second Assistant Secretary, Walter H. Beam.  
Enrolling Clerk, Florence E. Nelson.  
Engrossing Clerk, Lieut. Gerald E. Miller.  
Journal Clerk, Mary A. Reid.  
Journal Clerk, Ben Harriman.  
File Clerk, G. W. Morris.  
Bill Clerk, O. F. Matteson.  
Assistant Bill and File Clerk, S. I. Zearfoss.  
Postmistress, Mrs. Lou McHenry.  
Sergeant-at-Arms, E. G. Stanley.  
Chief Doorkeeper, J. H. Doty.  
Assistant Doorkeepers, J. Heffelfinger, A. C. Henderson, Levi Long, Warnar Turner, Freeman Stone, S. H. Wark, L. L. Couse, W. D. Masters, D. A. Heisler.  
Head Janitor in Cloak Room, Will Tomlin.  
Janitors in Cloak Room, Homer Jones, Ed Butler.  
Janitor in Toilet Room, William Thompson.

Carried.

The foregoing temporary officers appeared before the bar of the Senate and were duly sworn.

Senator Rule moved that a committee of five be appointed as a committee on credentials. Carried.

The president appointed as such committee Senators Rule, Adams, Coburn, Ratcliff and Buser.

Senator Ratcliff moved that the Senate take a recess until the committee on credentials is ready to report. Carried. The Senate took a recess.

#### REPORT OF COMMITTEE ON CREDENTIALS.

Senator Rule, 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-eighth General Assembly, and all are present:

First District, Joseph R. Frailey.  
 Sixth District (to fill vacancy), F. E. Shane.  
 Seventh District, Herbert I. Foskett.  
 Ninth District, Frank E. Thompson.  
 Tenth District, J. L. Brookhart.  
 Twelfth District, T. C. Cessna.  
 Thirteenth District, C. W. Whitmore.  
 Eighteenth District, Julius A. Nelson.  
 Twentieth District, J. D. Buser.  
 Twenty-first District, D. W. Kimberly.  
 Twenty-second District, W. J. Greenell.  
 Twenty-ninth District, David Meredith.  
 Thirtieth District, A. M. Parker.  
 Thirty-second District (to fill vacancy), B. M. Stoddard.  
 Thirty-fourth District, Milton B. Pitt.  
 Thirty-fifth District, B. J. Horchem.  
 Thirty-seventh District, Eugene Schaffter.  
 Thirty-eighth District, J. J. Rainbow.  
 Forty-second District, Carl W. Reed.  
 Forty-fourth District, W. H. Scott.  
 Forty-fifth District, Harry C. White.  
 Forty-eighth District, W. W. Anderson.  
 Fiftieth District, H. S. Van Alstine.

We also find the following hold-over senators entitled to seats in this body:

Second District, Geo. W. Ball.  
 Third District, James M. Wilson.  
 Fourth District, Karl M. Le Compte.  
 Fifth District, James A. Stephenson.  
 Eighth District, W. C. Ratcliff.  
 Eleventh District, Aaron V. Proudfoot.  
 Fourteenth District, Elmer E. Mitchell.  
 Fifteenth District, John R. Price.

Sixteenth District, Ed M. Smith.  
 Seventeenth District, John W. Foster.  
 Nineteenth District, Clem F. Kimball.  
 Twenty-third District, A. L. Broxam.  
 Twenty-fourth District, J. K. Hale.  
 Twenty-fifth District, O. A. Byington.  
 Twenty-sixth District, W. G. Haakeji.  
 Twenty-seventh District, Perry C. Holdoegel.  
 Twenty-eighth District, Wallace H. Arney.  
 Thirty-first District, Ben Edwards.  
 Thirty-third District, Thomas E. Taylor.  
 Thirty-sixth District, Byron W. Newberry.  
 Thirty-ninth District, W. T. Evans.  
 Fortieth District, Albert M. Fellows.  
 Forty-first District, Thomas A. Kingland.  
 Forty-third District, A. L. Rule.  
 Forty-sixth District, George F. Coburn.  
 Forty-seventh District, Henry C. Adams.  
 Forty-ninth District, Nicholas Balkema.

A. L. RULE,  
 HENRY C. ADAMS,  
 GEORGE F. COBURN,  
 W. C. RATCLIFF,  
 J. D. BUSER,

*Committee.*

On adoption of the report, the vote was:

Ayes—41.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffer
Brookhart	Kimball	Scott
Broxam	Kimberly	Shane
Buser	Kingland	Smith
Byington	LeCompte	Stephenson
Cessna	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Nelson	Thompson
Evans	Newberry	Van Alstine
Fellows	Parker	White
Foskett	Pitt	Whitmore
Foster	Price	Wilson
Fralley	Proudfoot	

Absent or Not Voting—9.

Ball	Coburn	Taylor
Brookhart	Kimberly	Thompson
Byington	Mitchell	Whitmore

#### SENATORS SWORN IN.

The following newly elected senators appeared before the bar

of the Senate and were duly sworn and subscribed their names to the oath of office:

W. W. Anderson	M. B. Pitt
J. L. Brookhart	J. J. Rainbow
J. D. Buser	C. W. Reed
T. C. Cessna	Eugene Schaffter
H. I. Foskett	W. H. Scott
J. R. Fralley	F. E. Shane
W. J. Greenell	B. M. Stoddard
B. J. Horchem	F. E. Thompson
D. W. Kimberly	H. S. Van Alstine
David Meredith	H. C. White
J. A. Nelson	C. W. Whitmore
A. M. Parker	

#### ELECTION OF PERMANENT OFFICERS.

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

Senator Anderson placed in nomination the following persons as permanent officers of the Senate, and moved their election:

Secretary, Capt. Thomas Watters, of Polk county.  
 Secretary pro tem, A. C. Gustafson, of Polk county.  
 First Assistant Secretary, Will J. Price, of Polk county.  
 Second Assistant Secretary, Walter H. Beam, of Warren county.  
 Enrolling Clerk, Florence E. Nelson, of Polk county.  
 Engrossing Clerk, Lieut. Gerald E. Miller, of Calhoun county.  
 Journal Clerk, Ethel R. Hanna, of Guthrie county.  
 Journal Clerk, Ben Harriman, of Ringgold county.  
 Bill Clerk, O. F. Matteson, of Scott county.  
 File Clerk, G. W. Morris, of Polk county.  
 Assistant Bill and File Clerk, S. I. Zearfoss, of Story county.  
 Postmistress, Mrs. Lou McHenry, of Polk county.  
 Sergeant-at-Arms, E. G. Stanley, of Linn county.  
 Chief Doorkeeper, J. H. Doty, of Clay county.  
 Doorkeeper, J. Heffelfinger, of Grundy county.  
 Doorkeeper, A. C. Henderson, of Appanoose county.  
 Doorkeeper, Levi Long, of Cerro Gordo county.  
 Doorkeeper, Warnar Turner, of Clinton county.  
 Doorkeeper, Freeman Stone, of Marion county.  
 Doorkeeper, S. H. Wark, of Adair county.  
 Doorkeeper, W. D. Masters, of \_\_\_\_\_ county.  
 Doorkeeper, D. A. Heisler, of Pottawattamie county.  
 Head Janitor in Cloak Room, Will Tomlin, of Polk county.  
 Janitor in Cloak Room, Homer Jones, of Lee county.  
 Janitor in Cloak Room, Ed Butler, of Monroe county.  
 Janitor of Toilet Room, Wm. Thompson, of Wapello county.

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

Ayes—45.

Adams	Fralley.	Proudfoot
Anderson	Hale	Rainbow
Arney	Haskell	Ratcliff
Balkema	Holdoegel	Reed
Ball	Horchem	Rule
Brookhart	Kimball	Schaffter
Broxam	Kimberly	Scott
Buser	Kingland	Smith
Cessna	LeCompte	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Nelson	Taylor
Evans	Newberry	Thompson
Fellows	Parker	White
Foskett	Pitt	Whitmore
Foster	Price	Wilson

Absent or Not Voting—5.

Byington	Meredith	Van Alstine
Greenell	Shane	

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 pro tem., A. C. Gustafson.  
 First Assistant Secretary, Will J. Price.  
 Second Assistant Secretary, Walter H. Beam.  
 Enrolling Clerk, Florence E. Nelson.  
 Engrossing Clerk, Lieutenant Gerald E. Miller.  
 Journal Clerk, Ben Harriman.  
 Bill Clerk, O. F. Matteson.  
 File Clerk, G. W. Morris.  
 Postmistress, Mrs. Lou McHenry.  
 Sergeant-at-Arms, E. G. Stanley.  
 Chief Doorkeeper, J. H. Doty.  
 Doorkeeper, J. Heffelfinger.  
 Doorkeeper, A. C. Henderson.  
 Doorkeeper, Levi Long.  
 Doorkeeper, Warnar Turner.  
 Doorkeeper, Freeman Stone.  
 Doorkeeper, S. H. Wark.  
 Doorkeeper, W. D. Masters.  
 Doorkeeper, D. A. Heisler.  
 Head Janitor, Will Tomlin.  
 Assistant Janitor, Homer Jones.

Assistant Janitor, Ed Butler.  
Assistant Janitor, Wm Thompson.

Senator Ratcliff moved that a committee of three be appointed to notify the House that the Senate is organized and ready for business. Carried.

President appointed as such committee: Senators Ratcliff, Shane and Stephenson.

On request of Senator Newberry, Senator Byington was excused for the day.

#### INAUGURAL COMMITTEE.

Senator Parker introduced the following concurrent resolution, and moved its adoption:

*Resolved by the senate, the House concurring:* That a joint committee, consisting of six members of the Senate, be appointed by the president, and six members of the House be appointed by the speaker, to arrange for the inauguration of the governor and the lieutenant governor.

Adopted.

The president appointed as such committee on the part of the Senate: Senators Parker, Adams, Stoddard, Hale, Greenell and Byington.

Senator Holdoegel moved that a committee of three be selected to notify the governor that the Senate was now organized and ready for business. Carried.

President appointed as such committee Senators Holdoegel, Mitchell and Broxam.

#### SELECTION OF SEATS.

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

*Resolved:* That the hold-over and re-elected senators be granted the privilege of retaining the seats occupied by them at the last session of the General Assembly, and 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 Balkema moved that Senator Stoddard be allowed to occupy the seat formerly held by Senator Lytle (No. 16). Carried.

Senator Whitmore moved that senators difficult of hearing be allowed to select seats in advance. Carried.

Senator Rainbow selected seat number 1.

Senator Buser selected seat number 24.

Senator Schaffter selected seat number 15.

Senator Whitmore asked unanimous consent that Senator Smith be allowed to select a seat before the drawing and Senator Smith selected seat No. 5.

Senator Haskell asked unanimous consent that Senator Pitt be allowed to select seat No. 39. Granted.

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

Adams .....	35	Le Compte .....	3
Anderson .....	36	Meredith .....	48
Arney .....	42	Mitchell .....	19
Balkema .....	18	Nelson .....	7
Ball .....	22	Newberry .....	32
Brookhart .....	49	Parker .....	13
Broxam .....	50	Pitt .....	39
Buser .....	24	Price .....	8
Byington .....	28	Proudfoot .....	40
Cessna .....	46	Rainbow .....	1
Coburn .....	11	Ratcliff .....	14
Edwards .....	2	Reed .....	25
Evans .....	31	Rule .....	41
Fellows .....	20	Schaffter .....	15
Foskett .....	21	Scott .....	44
Foster .....	6	Shane .....	10
Frailey .....	38	Smith .....	5
Greenell .....	45	Stephenson .....	47
Hale .....	37	Stoddard .....	16
Haskell .....	37	Taylor .....	4
Holdoegel .....	23	Thompson .....	17
Horchem .....	26	Van Alstine .....	12
Kimball .....	30	White .....	43
Kimberly .....	33	Whitmore .....	34
Kingland .....	9	Wilson .....	29

Senator Ratcliff, from the committee appointed to notify the House that the Senate was organized and ready for business, stated that the committee had performed that duty.

#### ELECTION OF PRESIDENT PRO TEMPORE.

Senator Haskell moved that the Senate proceed to elect a president pro tempore. Carried.

Senator Haskell placed in nomination Senator Wallace H. Arney.

Those voting for Senator Arney were:

## Ayes—46.

Adams	Hale	Rainbow
Anderson	Haskell	Ratcliff
Balkema	Holdoegel	Reed
Ball	Horchem	Rule
Brookhart	Kimball	Schaffter
Buser	Kimberly	Scott
Broxam	Kingland	Shane
Cessna	LeCompte	Smith
Coburn	Meredith	Stephenson
Edwards	Mitchell	Stoddard
Evans	Nelson	Taylor
Fellows	Newberry	Thompson
Foskett	Parker	Van Alstine
Foster	Pitt	White
Fralley	Price	Whitmore
Greenell	Proudfoot	Wilson

## Absent or Not Voting—2.

Arney  
Byington

Senator Wallace H. Arney was declared elected president pro tempore of the Senate.

Senator Wilson moved that a committee of three be appointed by the president to escort Senator Arney president pro tempore to the chair. Carried. The president appointed as such committee Senators Wilson, Proudfoot and Price.

Senator Arney subscribed to the oath of office and was presented to the Senate by President Moore.

On assuming his office, Senator Arney stated that he felt deeply gratified for the honor conferred upon him for the second time and that he took pleasure in assuming the office of president pro tempore once more, and hoped that the members of the Senate would be as pleased with their choice as he was grateful for the honor conferred upon him.

Senator Holdoegel, from the committee named by the president to notify the governor that the Senate was duly organized and ready for business, stated that the committee had performed that duty.

## ADOPTION OF OLD RULES.

Senator Newberry offered the following resolution and moved its adoption:

*Be it Resolved by the senate:* That the rules of the Thirty-Seventh



General Assembly be adopted as the rules of this senate until the report of the committee on rules is received and adopted.

Adopted.

#### ASSIGNMENT OF COMMITTEE ROOMS.

Senator Price offered the following resolution and moved its adoption:

*Resolved by the Senate:* That a committee of three be appointed by the president to make assignments of committee rooms and fix the time of meeting of the committees.

Adopted.

The president appointed as such committee Senators Smith, Rainbow and Schaffter.

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

Senator Rule moved that soldier boys occupying seats in the gallery be allowed the privilege of admission to the floor of the Senate. Carried.

#### SENATE CONCURRENT RESOLUTION.

Senator Kimball offered the following resolution:

*Be it Resolved by the Senate, the House concurring:* That the secretary of state be requested to furnish each member of the Thirty-Eighth General Assembly, including the lieutenant governor and the speaker of the house of representatives, the secretary of the senate, and the chief clerk of the house, one copy of the Code of 1897, one copy of Code Supplement, 1913, Supplemental Supplement, 1915, and Index, and one copy of Session Laws of the Thirty-Seventh General Assembly; and to each of the representatives of the press one copy of the Code of 1897, one copy of Code Supplement, 1913, and one Supplemental Supplement, 1915 and Index.

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

On the question, "Shall the resolution be adopted," the vote was:

## Ayes—49.

Adams	Greenell	Ratcliff
Anderson	Haskell	Reed
Arney	Holdoegel	Rule
Balkema	Horchem	Schaffter
Ball	Kimball	Scott
Brookhart	Kimberly	Shane
Broxam	Kingland	Smith
Buser	LeCompte	Stephenson
Cessna	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Nelson	Thompson
Evans	Newberry	Van Alstine
Fellows	Parker	White
Foskett	Pitt	Whitmore
Foster	Price	Wilson
Fralley	Proudfoot	
Hale	Rainbow	

## Absent or Not Voting—1.

Byington

## SEATS TO PRESS REPRESENTATIVES.

Senator Le Compte moved that the secretary assign seats for reporters in the press gallery. Carried.

## COMMITTEE ON CHAPLAINS.

Senator Taylor moved that a committee of three be appointed to provide chaplains for the Senate during the session of the Thirty-eighth General Assembly. Carried.

President appointed as such committee, Senators Taylor, Ball and Buser.

## BADGES.

Senator Fellows offered the following resolution and moved its adoption:

*Resolved by the Senate:* That the secretary of the senate be and he is hereby instructed to procure suitable badges for such officers of the senate as require badges and who are not already provided with the same.

Adopted.

## COMMITTEE ON COMMITTEE CLERKS.

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

*Resolved,* That each senator and the lieutenant governor be and he is hereby authorized to appoint a committee clerk who shall be a competent stenographer, and that such clerks shall be sworn in whenever they present

themselves for that purpose if found proficient by a committee of three, which the president of the senate is hereby authorized to appoint.

Adopted.

President appointed as such committee, Senators Schaffter, Byington and Reed.

#### ADDITIONAL EMPLOYEES.

Senator Rule offered the following concurrent resolution:

#### CONCURRENT RESOLUTION.

*Be it Resolved by the Senate the House concurring:* That a joint committee of six members be appointed, three to be members of the senate, appointed by the president, and three to be members of the House, appointed by the speaker, to nominate such additional employees, other than committee clerks, as may be deemed necessary for the work of this session, including the nomination of a mail carrier, and that the committee recommend the position to be filled and the compensation of each employee so nominated.

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

On the question, "Shall the resolution be adopted," the vote was:

Ayes—49.

Adams	Hale	Ratcliff
Anderson	Haskell	Reed
Arney	Holdoegel	Rule
Balkema	Horchem	Schaffter
Ball	Kimball	Scott
Brookhart	Kimberly	Shane
Broxam	Kingland	Smith
Buser	LeCompte	Stephenson
Cessna	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Nelson	Thompson
Evans	Newberry	Van Alstine
Fellows	Parker	White
Foskett	Pitt	Whitmore
Foster	Price	Wilson
Frailey	Proudfoot	
Greenell	Rainbow	

Absent or Not Voting—1.

Byington

The president appointed as such committee Senators Rule, LeCompte and Adams.

## COMMITTEE ON MILEAGE.

Senator Foster moved that a committee of three on mileage be appointed. Carried. President appointed as such committee, Senators Foster, Nelson and Horchem.

## TELLERS FOR JOINT CONVENTION.

Senator Frailey moved that a committee of three be appointed by the president to act as tellers on the part of the Senate in canvassing the vote for governor and lieutenant governor at the joint convention of the House and Senate, to be held for that purpose.

Carried.

The president appointed as such committee, Senators Frailey, Hale and White.

On motion of Senator Rule, the Senate adjourned until 2 o'clock this afternoon.

## AFTERNOON SESSION.

Senate met pursuant to adjournment at 2 o'clock p. m., president of the Senate, E. R. Moore, presiding.

## MESSAGES FROM THE HOUSE.

Chief Clerk Ramsay presented the following message 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 concerning a joint committee to arrange for the inauguration of the governor.

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 concerning a joint session of the senate and house at which the governor will be invited to read his message.

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 requesting the secretary of state to furnish a copy of the Code of Iowa, etc., to members of the general assembly and certain others specified therein.

Senator Newberry moved that the Senate concur in the following House concurrent resolution:

#### HOUSE CONCURRENT RESOLUTION.

*Be it Resolved by the House, the Senate concurring:* That a joint convention of the two houses of the Thirty-eighth General Assembly be held January 14th, 1919, at 2:00 p. m.

*Be it Further Resolved:* That Governor Harding 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.

*Be it Further Resolved:* That at this joint convention the vote for governor and lieutenant governor be canvassed and the result announced and recorded, as provided by law.

On the question, "Shall the Senate concur in the resolution," the vote was:

Ayes—45.

Adams	Fralley	Pitt
Anderson	Greenell	Price
Arney	Hale	Proudfoot
Balkema	Haskell	Rainbow
Ball	Holdoegel	Ratcliff
Broekhart	Horchem	Rule
Broxam	Kimball	Shane
Buser	Kimberly	Smith
Cessna	Kingland	Stephenson
Coburn	LeCompte	Stoddard
Edwards	Meredith	Taylor
Evans	Mitchell	Van Alstine
Fellows	Nelson	White
Foskett	Newberry	Whitmore
Foster	Parker	Wilson

Absent or Not Voting—5.

Byington	Schaffter	Thompson
Reed	Scott	

On motion of Senator Adams, Rule 33 was suspended for the day.

Senator Kimball moved that the Senate concur in the following House resolution:

*Be it Resolved by the House, the Senate concurring:* That the secretary of state be requested to furnish each member of the general assembly, the speaker of the house, the president of the senate, the chief clerk of the house, the secretary of the senate, and the accredited members of the press, a copy of the Code of Iowa, 1897, and a copy of the Supplement and Supplemental Supplement thereto, and the Session Laws of the Thirty-seventh General Assembly.

Carried.

Senator Rule moved that the Senate extend a vote of appreciation to Private Liberty Pease of Farragut, Page county, who was present in the Senate chamber, and who was awarded the Distinguished Service Cross for valiant conduct in rescuing wounded soldiers at the town of Sercy, France. The motion was unanimously carried by rising vote.

#### APPOINTMENT OF MESSENGERS.

The president of the Senate appointed the following messengers, who appeared before the bar of the Senate and were duly sworn:

Bert Russell	Joe Leseney
Yale Ellis	Edward Baker
Harry Williams	Francis Owens
William Griffith	Harrison Fletcher
Reginald Kennedy	

#### COMMITTEE CLERKS.

Senator Schaffter, from the committee on examination of committee clerks, submitted the following report:

MR. PRESIDENT—Your committee, to whom was referred the examination of applicants for clerkships in the senate, beg leave to report that a partial examination has been held, and the following have been found proficient; and we recommend that they be chosen:

Hazel Coutts .....	Senator Cessna
Edith Parke Ditto .....	Senator Buser
Margaret Daube .....	Senator Kingland
Jeannette Shepard .....	Senator Fralley
Bertha E. Hyde .....	Senator Holdoegel
Harriet King Card .....	Senator Rainbow
Izora Dixon .....	Senator Foster
Teresa Flood .....	Senator Schaffter
Ada Hull .....	Senator Mitchell
Frances Trevisol .....	Senator Price
Ethel Lewis .....	Senator Scott
Minnie S. Wilder.....	Senator Balkema

Ann Blalweiss .....	Senator Stephenson
Virginia Price .....	Senator Reed
Annabelle Miller .....	Senator LeCompte
Mary Rose .....	Senator Thompson
Ann Dallman .....	Senator Evans
Blanche Mullany .....	Senator Horchem
Sadie Saverude .....	Senator Nelson
Ella Hafer .....	Senator Adams
Alma Lewman .....	Senator Wilson
Mary Anderson .....	Senator Anderson
Minnie Benson .....	Senator Parker
Mame E. Black .....	Senator White
Clara Zimmerman .....	Senator Greenell
Fannie Flanagan .....	Senator Smith
Ruth Smith .....	Senator Ball
George Kern .....	Senator Stoddard
Lieutenant Webb Stump .....	Senator Proudfoot
Ray D. Krull .....	Senator Coburn
Rollan Sigg .....	Senator Haskell
Zuba Snyder .....	Senator Edwards
Oren R. Clark .....	Senator Newberry
Lieut. Claire Marshall .....	Lieut. Gov. Moore
Lieut. E. F. McMahon .....	Senator Rule
Lois Garrett .....	Senator Foskett
Lieut. Wm. Peterson .....	Senator Kimball
E. Blanche Wright .....	Senator Broxam
Jean Clarke .....	Senator Hale
Ethel Livingston .....	Senator Fellows
Mayme O'Connell .....	Senator Shane
Hertha L. Zabel .....	Senator Kimberly

The following applicants passed the examination, but are not yet assigned:

Sarah Hirschberg  
 Vera Low  
 Nellie Deemer  
 Clara Fisher  
 Mrs. Elbert R. Hall

EUGENE SCHAFFTER, *Chairman.*

The report was adopted.

All of the committee clerks who received assignments appeared at the secretary's desk and were duly sworn.

On motion of Senator Kingland, Senate adjourned until 10 o'clock tomorrow.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 14, 1919.

Senate met in regular session at 10 a. m., President of the Senate Ernest R. Moore presiding.

Prayer was offered by Rev. Robert Orville Matthews, pastor of First M. E. Church of Des Moines.

## ASSIGNMENT OF SEATS TO PRESS REPRESENTATIVES.

Register, Phil Aldredge.....	51
Capital, Beatrice Blackmar.....	52
News, W. B. Kerr.....	53
General, Howard Whitney.....	54
Special Correspondent, Iowa Newspapers, G. L. Caswell.....	55

## MESSAGE FROM THE HOUSE.

Chief Clerk Ramsay presented the following message from the House:

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

Concurrent resolution relative to extra employees.

W. C. RAMSAY,  
*Chief Clerk.*

## PETITIONS AND MEMORIALS.

Senator Smith presented a petition of citizens of Adair county relative to prohibitory amendment.

Senator Kingland presented a petition of citizens of Mitchell county relative to prohibitory amendment.

Senator Rule presented a petition of citizens of Cerro Gordo county relative to prohibitory amendment.



Senator Ratcliff presented a petition of citizens of Montgomery county relative to prohibitory amendment.

Senator Evans presented a petition of citizens of Butler county relative to prohibitory amendment.

Senator Holdoegel presented a petition of citizens of Webster county relative to prohibitory amendment.

Senator Arney presented a petition of citizens of Marshall county relative to prohibitory amendment.

Senator Balkema presented a petition of citizens of Lyon county relative to prohibitory amendment.

Senator Haskell presented a petition of citizens of Linn county relative to prohibitory amendment.

Senator Brookhart presented a petition of citizens of Henry county relative to prohibitory amendment.

Senator White presented a petition of citizens of Tama county relative to prohibitory amendment.

Senator Stephenson presented a petition of citizens of Union county relative to prohibitory amendment.

Senator Fellows presented a petition of citizens of Fayette county relative to prohibitory amendment.

Senator Meredith presented a petition of citizens of Jasper county relative to prohibitory amendment.

Senator Shane presented a petition of citizens of Adams county relative to prohibitory amendment.

Senator Proudfoot presented a petition of citizens of Warren county relative to prohibitory amendment.

Senator Anderson presented a petition of citizens of Carroll county relative to prohibitory amendment.

Senator Cessna presented a petition of citizens of Poweshiek county relative to prohibitory amendment.

Senator Shane presented a petition of citizens of Taylor county relative to compensation of county officers.

Senator Ball presented a petition of citizens of Jefferson county relative to compensation of county officers.

Senator Evans presented a petition of automobile dealers of Bremer county relative to an automobile mechanics' lien law.

Senator Wilson presented a petition of Local Union No. 553, United Mine Workers of America, endorsing the better housing movement.

The foregoing petitions were filed for committee reference.

#### INTRODUCTION OF BILLS.

By Senator Smith, Senate File No. 1, a bill for an act to amend section four hundred and forty-one (441) relating to official newspapers printed in a foreign language.

Read first and second time and filed for future reference to committee.

By Senator Van Alstine, Senate File No. 2, a bill for an act creating a commission to revise and codify the statute laws of the state and defining its duties and providing for clerical help, and for the publication and distribution of its report, and making an appropriation for its expenses.

Read first and second time and filed for future reference to committee.

By Senator Price, Senate File No. 3, a bill for an act to repeal sections one thousand eighty-seven-b (1087-b), one thousand eighty-seven-b-one (1087-b-1), one thousand eighty-seven-b-two (1087-b-2), one thousand eighty-seven-b-three (1087-b-3), one thousand eighty-seven-b-four (1087-b-4), one thousand eighty-seven-b-five (1087-b-5), supplement to the code, 1913, and to enact a substitute therefor, relating to the nomination and election of judges of the supreme, district and superior courts.

Read first and second times and filed for future reference to committee.

Senator Edwards moved that rule 33 be suspended for the day. Carried.

## REPORT OF COMMITTEE ON COMMITTEE CLERKS.

MR. PRESIDENT—Your committee appointed to examine applicants for committee clerks begs leave to make the following supplemental report; that they have examined Stella Clayman, Des Moines (assigned to Senator Taylor) and found her proficient. The committee recommends that she be employed.

EUGENE SCHAFFER,  
*Chairman.*

Report adopted.

The following officers and employees appeared before the bar of the Senate and were duly sworn:

Ethel R. Hanna.  
L. L. Couse.  
W. D. Masters.  
Lois Garrett.  
S. I. Zearfoss.

## CORRECTION OF JOURNAL.

The Journal of January 13 was taken up, corrected and approved.

On motion of Senator Whitmore, the Senate took a recess to reconvene at the call of the chair.

Senate resumed session at 11:40.

On motion of Senator Parker Senate adjourned until 1:30 p. m.

## AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:30 p. m., President of the Senate Ernest R. Moore presiding.

Senator Kimball presented the following resolution and asked unanimous consent for its consideration at this time.

*Be It Resolved by the Senate of the Thirty-eighth General Assembly:*

That the executive council be and is hereby requested to supply the toilet room of the Senate with a porcelain three-bowl lavatory,

That the cost of the same be paid for out of the appropriations for repairs under section one hundred sixty-four (164) of the supplement to the code, 1913, to be made by the Thirty-eighth General Assembly.

The resolution was adopted.

## REPORT ON COMMITTEE CLERKS.

Senator Schaffter from the committee on examination of committee clerks presented the following report and moved its adoption:

MR. PRESIDENT—Your committee to whom was referred the examination of applicants for clerkships in the Senate, beg leave to submit this as a supplemental report, to-wit, that they have examined Harry S. Veir of Mason City and have found him proficient, and that he has been assigned to Senator Whitmore, and Miss E. V. Nelson, assigned to Senator Pitt.

EUGENE SCHAFFTER,  
*Chairman.*

The report was adopted.

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

Stella F. Clayman  
Harry S. Viers  
E. V. Nelson

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

The president announced that the Senate would proceed to the house 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, Hon. Ernest R. Moore, president of the Senate, presiding.

The roll was then called and the following members responded:

Adams	Dean	Hauge
Adkins	Durbin	Holdoegel
Alderman	Edgington	Holloway
Allyn	Edson	Hook
Anderson of Greene	Edwards	Horchem
Anderson of Winnebago	Epps	Ingersoll
Arney	Evans	Justice
Balkema	Fellows	Kellogg
Ball	Finch	Kepple
Becker	Findlay of Webster	Kern
Beeman	Finley of Henry	Kimball
Boies	Foskett	Kimberly
Bradley	Francis	King
Brookhart	Garber of Decatur	Kingland
Brown	Garber of Floyd	Klaus
Broxam	Gilmore	Knickerbocker
Buser	Giltner	Krouse
Byington	Greenell	Lake
Cessna	Griffin	Langftt
Clark	Hale	Larson of Cedar
Coburn	Hanna	Larson of Montgomery
Coakley	Harrington	Le Compte
Davidson	Haskell	Le Valley

Lockin	Parker	Smith of Madison
Long	Parsons	Stephenson
McFarlane	Perkins	Sterling
McGhee	Peters	Stoddard
Mantz	Pitt	Stuart
Mayne	Powers	Springer
Mead	Price of Dickinson	Sutherland
Meredith	Price of Monroe	Taylor
Messer	Proudfoot	Thompson
Miles	Quick	Ulstad
Miller of Boone	Rainbow	Van Camp
Miller of Dubuque	Ratcliff	Vance
Miller of Lucas	Reed	Vander Ploeg
Mills	Rogers	Wallace
Mitchell	Rule	Weaver
Moen	Santee	Westervelt
Moore	Sayers	White
Morgan	Saylor	Whitmore
Morrow	Schaffter	Wiehman
Nebiker	Scott of Chickasaw	Williams
Neff	Scott of Marshall	Windett
Newberry	Slaught	Wilson of Appanoose
O'Donnell	Slosson	Wilson of Mahaska
Oertel	Smith of Clinton	Young

Those absent were: Flenniken, Foster, Fralley, Gunderson, Hansen, Moorhead, Mooty, Nelson, Newton, Scott of Appanoose, Shane, Stone, Sorlien, Temple, Van Alstine, Walrath and Wormley—17.

The president declared a majority of the general assembly present at the joint convention.

Senator Rule of Cerro Gordo 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 appointed Senator Rule of Cerro Gordo on the part of the Senate, and Representatives Scott of Marshall and Dean of Osceola 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 W. L. Harding, who read his message as per previous invitation.

#### GOVERNOR'S BIENNIAL MESSAGE.

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

Pursuant to a constitutional mandate, it is incumbent on the Chief Executive to communicate at this time to the Legislature, "The Condition of the State."

Since the adjournment of the last session of the Iowa legislature, the national government declared that a state of war existed between the United States and the imperial government of Germany, that war has been fought to a successful conclusion and an armistice has been signed outlining in a general way the terms of peace.

We proceed now with after-the-war problems. The provisions made by the last legislature in anticipation of our entering the war and the use of general statutes have made it possible to carry on the government within the state without an extra session of the legislature.

The method of mobilizing the army of the United States was changed from the volunteer system to that of the selective service system, and instead of calling upon the state to organize companies and regiments, as was the rule, and turn them over to the federal government, the machinery of the office of the Chief Executive and his military secretary, the Adjutant General, was used, and the soldier selected and placed directly in the national army.

The National Guard, in existence in the state at the time of the declaration of war, was mobilized by the state, on call from the federal government, and turned over to the President for use. The records in the Adjutant General's office show that 9,750 officers and men entered the federal service from the National Guard.

Representative government stood the test of the great world war. The system of divided authority between nation and state proved its effectiveness in the crisis through which we have just passed. Pride of state and love of nation were both so strong that little difficulty was experienced in filling and exceeding the quota of men assigned to Iowa by the federal authorities.

Iowa is not confronted particularly with problems of reconstruction. Because of the strength of our people and their adaptability to the new conditions brought about by the war, they adjusted their private business affairs as well as the affairs of the state, so that now, with scarcely a ripple, we can proceed with the work before us as a state and a people without hindrance growing out of the war.

The new problems for this legislature to consider are nation-wide and world-wide, rather than state-wide problems. They go to the very fundamentals of civilization. The fact that the United States took part in the settlement of this world war has widened our vision and increased our responsibility so that we will be compelled to approach even state problems with broader and more liberal views than we have in the past.

The state now owes an added obligation to the thousands upon thousands of young men who entered the service of the army and navy. This obligation is two-fold.

Primarily, the state should see to it that the returned man, so far as it is humanly possible, re-enter the activities of life without handicap because of the war. By this I mean he should be reinstated in society equipped to take the place he would have occupied had he not been called to the colors. Many ways, no doubt, will suggest themselves to your minds for working

out this problem, such as finding him employment, giving him educational facilities, and other material advantages.

The second obligation is to see to it that the work and sacrifice of the soldier and sailor is not forgotten and thus unappreciated. Memorials in one form or another should be bullded, so that the generations of tomorrow may know what this generation was willing to pay and did pay, that representative government might be preserved. This is not necessarily the problem of this hour or wholly of this generation. However, the start should be made now, the facts should be accumulated, so that when there is adequate opportunity the work can be done in a fitting manner. I suggest that you make appropriation so that the story of the war in facts, figures and pictures may be gathered now for the use of future historians.

There is just cause for pride on the part of every citizen of the state for the way in which Iowa met the call for men and money in this last great war in which we were engaged.

Approximately 165,000 men from the state entered the service of the government in the army and navy. Iowa filled every quota call of the government. When the armistice was signed we had 35,000 Class I men ready to go when they were called. At that time, we were one of the four states in the Union ready to fill promptly the call of the government for men.

In the neighborhood of 9,000 men and women in all departments assisted in the draft work. It is not out of place to say here that great credit is due both the local and district draft boards for the high-minded manner in which they conducted their work.

The population of Iowa is about equally divided between country and urban. Each furnished approximately 50 per cent of the men who entered the service. There are about 217,000 farms in the state, approximately 50,000 men went from the farms into the service of the country, or one from every fourth farm.

In the first registration classification, Iowa had 27.4 per cent of its registrants in Class I; this was later raised to 28 per cent. The national average was a trifle less than 25 per cent. This speaks well for the boards and shows that they always kept in mind the thought that it was necessary to have men in order to have an army.

Iowa is fifteenth in population among the states of the Union. It occupies twelfth place in the number of men furnished in the army and navy in all branches: 10,775 native-born sons of Iowa joined the navy; 8,294 men, residents of Iowa, joined the navy. This speaks volumes for the patriotism of the youth born and reared in Iowa.

The record made in the furnishing of men is matched in all other lines in which the government called for service. Our citizens gave of their money freely, bought bonds as they were requested, gave of their time without desire for reward; our farmers increased the production of corn, wheat, oats, barley and rye 27 per cent over the average for the ten-year period previous to the war; our laborers worked in whatever capacity they were requested, without question or complaint—the state has been practically free from strikes; the miners produced coal in excess over former years to the extent of approximately two million tons.

The Councils of Defense, state and local, both men and women, responded to every call of the government, and through these organizations the state was kept in the forefront in war activities with the other states of the Union.

The last legislature appropriated in all \$65,000 for a census and survey, and for secret service work and law enforcement. These funds were used to assist in the seed-corn census, to encourage the increase of wheat acreage in the state and for other activities along the line of production, in finding employment for labor, in secret service work and to carry out and make effective the activities of the state along lines in harmony with the purposes of the federal government in prosecuting the war to a successful close.

#### COST OF STATE ADMINISTRATION.

As legislators and as the direct representatives of the people, you have two kinds of dollars to spend for the public. The first is the dollar that goes to pay the ordinary expenses, such as salaries and supplies, and to keep the ordinary machinery of government running. The other dollar is the one which is appropriated as an investment, reaching beyond today's needs and building for the future, looking after the social, intellectual and economic development of the people, and laying the foundation today for the superstructure of tomorrow.

These two classes of dollars cannot be wholly separated and perhaps should not be. However, as the direct representatives of all the people of the state, it is for you and all of us to keep in mind this important distinction.

It is comparatively easy to ascertain the number of dollars of the first character necessary to be spent. It is less easy to ascertain the number of dollars of the second character that should be appropriated, and it is in this connection that vision and courage are required. Here lies the test of whether you are legislators or mere time-servers.

There has been placed before you and made a part of this biennial message a budget report which sets out the amount used for each year in the biennium closing July 1, 1919, of each department, and also the askings of these various departments for the biennial period beginning July 1, 1919, and ending July 1, 1921.

The total taxable value of all property subject to general levy for state and county purposes for the year 1918 was \$1,006,255,644.00. The amount of moneys and credits returned was \$419,732,506.00. A one-mill levy on the total value of this property brings to the state approximately one million dollars.

By glancing at this budget report you will ascertain that in nearly every instance there has been a request made for an increase in salary. These salary claims are the estimates of the various departments.

For your convenience and for the purpose of attempting, at least, to bring order out of chaos, I have taken the officers and help in the various departments of the state and classified and grouped them with a suggested salary.

You will observe that heads of departments recently created are in some cases drawing double the amount of salary of a department with equal re-



sponsibility that was created some years ago. It occurs to me that the time is now ripe to classify and unify the salaries of all state employes.

I have been informed that there will be askings for increased pay from counties and cities for officers and help. This information has not been laid before me, but I suggest that if such askings are made there be classification similar to the one which is attached to the budget report in reference to state employes.

#### BUSINESS DIRECTION OF STATE AFFAIRS.

Always, there is effort on the part of those clothed with the power of law making to devise ways and means of fixing responsibility, both to themselves and the people, on the part of those who are left to carry out the mandates of the law.

It is comparatively easy to fix responsibility on an elective officer. The difficulty comes with those who are appointed. In our own state the Executive Council, composed of the Governor, Secretary of State, Auditor of State and Treasurer, have been clothed with certain responsibilities and in certain matters at the present time act somewhat as a cabinet in dealing with the affairs of the state.

The members of the Executive Council are now ex-officio members of the State Board of Health and appoint such board. This is an arrangement which is very satisfactory, and centers responsibility with the Executive Council and thus elective offices. At the same time, it makes it possible for the Executive Council to have expert advice and counsel, and to know what is being done in the department.

I therefore suggest that each department head be more closely tied to the Executive Council and that they have voice in the construction of new policies that are to be initiated by the department. This will make it possible to have a wider grasp of the state's business and I am sure will tend to greater efficiency, for with this authority they will be able to stop whatever there is of over-lapping in departments.

In this connection, I want to suggest that the various departments be furnished help for the business under ordinary conditions, and that the Executive Council be given a fund for extra help which can be used as there is demand, and that they be given authority to change help from one department to another to take care of the peak load.

Your attention is directed, in this connection, to the work of the present council in co-ordinating and simplifying the state's business, and the various changes that have been made in keeping state records. A visit to the office of the secretary of the Executive Council and a noting of improved methods there instituted in doing the business of the state will, I am sure, strengthen your approval of making the Executive Council responsible for more of the business of the state.

Taxes are necessary in any form of government. That they shall be equitably distributed is a prime necessity in a representative form of government.

Under the present arrangement the Executive Council sits as an equalizing board. They are clothed with authority now to equalize between counties, but cannot equalize as between individuals.

I suggest that you consider the advisability of widening the scope of the power of the Executive Council as a board of equalization so that they may have power to equalize as between individuals.

I further suggest that you consider the advisability of making the county auditor also the county assessor and placing this officer as such assessor under the Executive Council when acting as a board of equalization, authorizing conference of all these county assessors with the Executive Council once each year. With the Executive Council having added power, the auditor as county assessor with power over the township assessor, it would be possible to bring about greater equality in taxation matters.

The Executive Council should be given a small fund for carrying on this work as a board of equalization.

#### LABOR EMPLOYMENT SERVICE.

Your attention is directed to the work of the Bureau of Labor within the state, and the wonderful growth which this department has made in the confidence of the people.

During the past year, the head of this department has represented the federal government in employment work within the state and also has had charge of state employment work in conjunction with the regular and ordinary duties of his office.

I am satisfied that upon investigation you will agree with me that growing out of the experience of the past year and a half all private fee employment offices in the state should be prohibited by statute and that the Department of Labor should be made the head of a free employment labor service, that county agents should be made employment agents in their respective counties, that in cities of a population of say 5,000 or more there should be a special labor representative, all of this co-ordinated with the State Labor Department, with, of course, the necessary appropriation to carry on this work.

#### SELECTION OF CANDIDATES FOR OFFICE.

It has been proposed by some that the primary principle as applied to the selection of candidates for office be abandoned by this state. In my judgment, such a move would be a step backward and would seriously be regretted by the people in the days to come.

The primary principle is fundamentally right, for it gives to the individual an unhampered choice in the selection of his party candidate.

That there can be change in the present law which will work to the advantage of the state and of the individual, I have no doubt. I am firmly of the opinion, however, that executive and legislative officers such as United

States senator, governor, lieutenant governor, congressmen and members of the legislature should be chosen by primary, and that if there are to be offices selected by convention the first delegates should be chosen through a primary regulated by statute.

#### UNIVERSAL SUFFRAGE FOR IOWA.

The question of enlarged suffrage regardless of sex no doubt will soon become nation-wide, this at least should be brought about. The Constitution of the State of Iowa should be changed from its present form limiting suffrage to males and permit female citizens to vote.

In the meantime, while this change is being brought about in our fundamental law, the state statute should be changed giving to women primary suffrage.

I recommend this for your careful consideration as a right which is due to this class of citizens now disfranchised because of sex.

This correction in the fundamental law of our country needs to be made immediately in order that as a nation we be not placed in an awkward position with the countries across the water that we are trying to lead to democratic ideals.

#### FEDERAL PROHIBITORY AMENDMENT.

In due course of time and in regular form, there will be transmitted to your body an amendment to the federal constitution prohibiting the manufacture and sale of intoxicating liquors.

I commend this to your consideration and bespeak for it your early concurrence in due and regular form.

#### STATE INSTITUTIONS AND INDUSTRIES.

On account of the increased cost of all materials during the last biennial period, it has been necessary for the Executive Council, as by statute provided, to assist the Board of Control from February 1, 1918, to January 1, 1919, to the amount of \$548,800.19 for their support fund for the various institutions under their control.

The system of employing convicts by contract on work for private companies was wholly abolished May 1, 1918.

It is gratifying to me to be able to report that all the state industries under the management of the Board of Control are now conducted on a sound business basis and are producing net profits to the state. Close personal attention is given by the board to the operation and management of these industries, and the marked success with which they have been carried on demonstrates that state industries can be operated successfully and with profit.

The appropriations granted by the legislature for establishing and maintaining industries aggregate \$275,000. Of this amount, \$27,941.66 was spent for land at the state penitentiary, and \$157,470.80 for industrial buildings, equipment and appliances, at both the penitentiary and reformatory. The

total amount remaining to the credit of the industrial fund is \$87,415.95. This is used as a working balance to cover operating expenses and to purchase material. It is expected that this balance will be increased very materially by the end of the calendar year.

The institution industries are of three classes: First, the manufacturing plants established by special or direct appropriation of the legislature to replace the prison labor contracts. These industries are equipped for and are doing a commercial business. Second, those departments first organized but not equipped for commercial business were established and maintained from the support funds of the institutions with which they were connected. The products from these were used for the maintenance of the inmates. Third, the institution farms, the operating expenses of which, except the state farm at Clive, are borne by the support funds, the products going back to the support of the institution.

Under the first class, there are three industries: chair and furniture at the state penitentiary, cooperage at the reformatory, and brick and tile **factory** at the state hospital. The chair and furniture industry is the largest and best equipped institution of its kind west of Chicago. It was first established at the expiration of the prison contract with the Fort Madison Chair Company in 1915. The buildings vacated by that company were remodeled and equipped with machinery at a total cost of about \$75,000. The contract with the tool company expired in May, 1918. The buildings this company had occupied were also remodeled and added to the factory. The total capital invested in this plant at this time is \$152,500.00. The aggregate of profits and reserves earned now, and carried on the books of the chair industry, exceed \$98,000.00. The industry provides work for 150 prisoners. The total net sales during the period to this time were \$247,156.75.

The cooperage factory at the reformatory was taken over by the state January 1, 1915. During the past two years, considering the money invested, it has proved to be the most profitable of the industries operated by the state. The total cost of machinery and equipment to date is \$7,136.60, and the total investment \$31,166.04. The industry has earned over \$50,000.00 in profits and reserves during the last two years. The aggregate sales for the period amounted to \$260,670.62.

The brick and tile factory at Knoxville is valued at about \$30,000.00. The total sales for the period were \$32,132.68. There are on hand products to the value of \$7,062.12. The industry has earned a substantial profit which is shown mostly in increased fixed assets.

The combined industries have made a remarkable showing during this period. The last year especially has been a very prosperous year for the chair and tub factories. The aggregate amount of sales and receipts for service performed by the various industrial departments is over \$775,000, and the net profits, not including reserves, over \$100,000.

The work of convicts on farms a considerable distance from the state penitentiary and reformatory has not been found practical. Discipline cannot be maintained as it should be. The results are very different in

farming operations on lands adjoining the prison, and this is conclusively shown by the results obtained this year at the reformatory, where 1,380 acres were farmed, showing a net profit of over \$16,000, 1,000 acres of this land being leased by the board.

I recommend that you appropriate \$175,000 for the purchase of additional acreage at the reformatory, and \$75,000 for additional acres at the state penitentiary. The board holds an option now on the 1,000 acres of leased land at the reformatory, and at a very reasonable price.

The institutional farms at the various institutions are one of the big assets of the state. Intensified cultivation of these farms enables Iowa institutions to keep their per capita support requirements at a minimum, and below many of the other states of the Union.

The total amount of products from the farms, orchards and gardens of these institutions since the last report is:

Farm products.....	\$419,876.27
Poultry .....	14,257.39
Live stock.....	116,319.26
Dressed meat.....	81,243.40
Garden products.....	152,418.23
Orchard products.....	25,517.47
Miscellaneous .....	2,893.98
<b>Total .....</b>	<b>\$812,526.00</b>

This is an increase in value over the products of the last report of \$87,743.21.

The dairy herds of the state number 834 cows and have produced milk to the value of \$278,045.45.

Building construction was halted for the period of the war except such buildings as were contracted for or started, and such buildings as were absolutely necessary in order to take proper care of the work at the institutions. This means that extra allowances will have to be made for repair funds, and it is good economy to keep the buildings in the best possible condition.

Your attention is directed to the custodial farm located at Clive. I suggest that it is an economy to complete this farm along the lines originally intended. The old system of throwing men in jail to be idle is wasteful and does not bring about the reform in the individual that is desired. Money used for purchasing Iowa real estate is not squandered or wasted. The state can afford to buy liberally to furnish wholesome employment for the derelicts.

#### TRANSPORTATION AND ROAD PROBLEMS.

The question of transportation, both of passengers and freight, is one of vital interest to all the people of the state. The road question cannot be separated from the larger one of general transportation.

At the present time, our transportation system includes railroads, inter-urban roads, and wagon roads or highways. In considering the road question, we necessarily must keep in mind these other means of transportation.

Just now, there is considerable agitation about highway improvements. Some there are who contend that our entire road building system should be changed. My own thought is, after a rather complete study of the systems of other states, that Iowa has a system that is as well adapted to the needs of the state as can well be devised. My suggestion, therefore, is that you make as few changes as possible in the present road law and system, and none that are not primarily necessary.

The 104,000 miles of roads of the state are now divided into three systems: 88,000 miles of township road, 10,000 miles of county road, and 6,000 miles of inter-county road.

The highway commission took a census of traffic in 1917 at forty-seven stations located in seventeen different counties widely distributed in the state. These counts were all taken on the roads of the inter-county system. Of the total of this count, 46 per cent was local traffic made up of town to town, farm to town, and town to farm traffic; 47 per cent of the total was interurban and inter-county traffic; and 6½ per cent was tourist or inter-state traffic. From these figures, we readily ascertain the real road problem in this state—that is, to provide a road for local traffic made up of the farm to town and town to farm travel.

The road that has the largest amount of travel should be the first road improved, and should also have the greatest amount of improvement. We should proceed, then, in our road work as in the past: by keeping up the township road; grading and draining the county roads; grading, draining and surfacing the inter-county roads.

The funds already provided and their distribution should be little disturbed.

#### FORWARD STEPS IN ROAD MAKING.

The next step in road betterment in Iowa is therefore to surface so as to attain some form of permanency. This should first be done on the inter-county roads.

We may as well be frank with ourselves about road improvement and recognize that it is going to cost money and that the taxpayers will have to pay it.

Roads are necessary, and with changed methods of transportation a different type of road required now and for the future than in the past. In the census referred to as taken by the highway commission, the average number of vehicles per day was 339. Of these, 292 were motor-driven and 47 horse-drawn.

To take the next step in road betterment in Iowa we are going to require more money than we have had in the past. My judgment is that

the motor vehicle should very largely contribute this extra money. At the present time, automobile owners do not pay a personal tax in the state of Iowa. The state license charged is much below the personal tax that the same amount invested in property would pay. Since the surfaced road is largely for the benefit of the motor vehicle traveler, I suggest that you look here for one of your large sources of income.

We already have federal aid and there is a bill now pending in congress to increase this. Personally, I do not look with favor on federal aid, but so long as congress votes it, we should use our share.

Permit me to call your attention also to the fact that the heavy truck with the heavy load should pay a tax proportionate to the amount of damage which it does to the public highway, or to put it in another way: the motor truck that goes on to the public highway to haul freight for a fixed charge and as a revenue producer to the owner should pay a motor license commensurate with the wear which such a vehicle makes on the public highway.

When the next step in road improvement in Iowa is taken, which is surfacing, the cost should be distributed as nearly as possible in proportion to the benefits derived. The abutting and adjacent property is directly benefited and should pay accordingly. The county or road district is benefited and should pay. The proportion can be worked out on some equitable basis and should be left flexible enough to provide for special cases.

The finances then for this additional cost in the next step in road building in Iowa would come, at least 80 per cent, from the increased revenue from the motor vehicle fund, and increased federal aid apportionment, and the assessments against abutting and adjacent property. The balance of the sum, in the neighborhood of 20 per cent, would be financed from the general property tax.

In this next step in road building, adequate provision should be made to permit those on whom the burden of paying is to fall a voice in saying whether or not the improvement is to be made, and the kind and character of improvement.

In this connection, let it be suggested that provision also be made by statute whereby a given district or political unit may anticipate the funds designated above by providing that the officers charged with road construction be privileged to lay out the road, specify kind and quality of road, let the contract, and then submit the project to a vote of the people interested. If the people then approve, the necessary securities can be issued, running over a period of two, three or five years, as the case may be, and thus the project completed all at one time, with perhaps a great saving to the public.

It has been my thought in this suggestion not to disturb the existing highway law or its various agencies, but rather to use them for the purposes which they are already assigned to fill, and by adding to their powers and responsibilities the necessary law which will permit them, in

co-operation with those who carry the extra burden, to take the next step for more permanent road construction within the state. This plan leaves the initiative locally with those who carry the burden and gives them a voice in determining the time the project is to be started, and the amount to be involved.

In this biennial, I am mindful that I speak to a co-ordinate branch of the state government, and with that thought in mind have attempted to share responsibility with you.

Your task is the more difficult one of making the appropriations and laws to fit like a blanket covering with equality all parts of the state. My task is to execute the laws which you make with uniform fairness. Jointly, we are to strive for all the people, as their servants.

#### IOWA STATE BUDGET.

*Governor Harding also presented to the general assembly, as a part of his message, the following budget and statement:*

The tables herein have been made as concise as possible with a view to giving the main facts regarding the finances, transactions and needs of all the different departments of the state government.

The columns of appropriations for the biennial period gives the amounts available for each department for each specific purpose as provided in the code or by the Thirty-seventh General Assembly for the biennium ending June 30, 1919. The authority for each appropriation is indicated.

The next column gives the expenditures actually made for each department, divided as to specific purposes, so far as possible, for the first year of the biennial period under this appropriation. The succeeding column gives that which will be expended or which is available for use in the second year of the period. Where there has been expenditure and where further expenditures are possible, but no specific sum indicated as an appropriation, it is because of a continuing or indefinite appropriation dependent entirely on the needs of the department for this particular item.

Under the head of estimated expenditures is given two columns in which is set forth the estimate of the department or office or board as to that which is needed or will be used or should be made available for the specific items indicated for the biennial period which the Thirty-eighth General Assembly will provide for. It will be borne in mind that these estimates are from the heads of departments made to the governor or recommended to the legislature. They are given to indicate what the department estimates as actually necessary for the work to be done.

It will be noted that the statement of appropriations and expenditures given by these departments does not in all cases correspond to the books of the state auditor or state treasurer, but the discrepancies are of minor importance and indicate only a difference in keeping the accounts



## EXPENDITURES AND ESTIMATES.

Showing Appropriations and Funds Available for Each Office or Department,  
Actual Expenditures, and Estimates of Needs.

## ADJUTANT GENERAL.

Items For Which Money is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-18	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-21
Adjutant General's salary.....	Ch. 374-376 A.	\$ 6,000.00	\$ 3,000.00	\$ 3,000.00	\$ 4,200	\$ 4,200
Assist. Adjutant General.....	S. S. 2215-1-16	2,000.00	1,000.00	1,500.00	2,400	2,400
Record clerk.....	S. S. 2215-1-16	2,400.00	1,200.00	1,200.00	1,200	1,200
Total.....		\$ 11,400.00	\$ 5,200.00	\$ 5,700.00	\$ 7,800	\$ 7,800

## ATTORNEY GENERAL.

Attorney General.....	S. 211	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000	\$ 5,000
Asst. Attorney General.....	Ch. 292-376 A.	7,000.00	3,500.00	3,500.00	4,000	4,000
Asst. Attorney General.....	Ch. 292-376 A.	6,000.00	2,811.65	3,000.00	4,000	4,000
Asst. Attorney General.....	Ch. 292-376 A.	6,000.00	2,750.00	3,000.00	3,500	3,500
Asst. Attorney General.....	Ch. 292-376 A.	5,000.00	2,500.00	2,500.00	3,000	3,000
Asst. Attorney General.....	Ch. 292-376 A.				3,500	3,500
Law clerk and stenographer	Ch. 292-376 A.	3,000.00	1,500.00	1,500.00	2,000	2,000
Steno. help.....	Ch. 292-376 A.	4,000.00	2,000.00	2,000.00	3,000	3,000
Additional assistance and Cont. Fund.....	S. 211	10,000.00	4,345.01	8,000.00	10,000	10,000
Traveling expense.....	S. 211		1,841.81			
			4,345.33			
Comp. and expenses of special agents.....	Ch. 291-376 A.	50,000.00	25,658.40	25,000.00	75,000	75,000
Total.....		\$107,000.00	\$ 66,182.21	\$ 63,500.00	\$ 113,600	\$113,600

## AUDITOR OF STATE.

Auditor.....	S. 98	\$ 7,200.00	\$ 3,600.00	\$ 3,600.00	\$ 3,600	\$ 3,600
Deputy.....	S. 98	3,600.00	1,800.00	1,800.00	2,700	2,700
Revenue clerk.....	Ch. 292-376 A.	3,600.00	1,800.00	1,800.00	2,400	2,400
Chief municipal clerk.....	Ch. 292-376 A.	3,400.00	1,700.00	1,700.00	2,280	2,280
General clerk.....	Ch. 292-376 A.	2,600.00	1,300.00	1,300.00	1,740	1,740
Chief clerk Co. Acct. Dept.....	S. 100-A	4,000.00	2,000.00	2,000.00	2,664	2,664
Asst. clerk Co. Acct. Dept.....	S. 100-A	4,000.00	2,000.00	2,000.00	2,664	2,664
Warrant clerk.....	Ch. 292-376 A.	2,100.00	1,080.00	1,080.00	1,500	1,500
Asst. warrant clerk.....	Ch. 292-376 A.	1,800.00	900.00	900.00	1,200	1,200
Stenographer and clerk.....	Ch. 292-376 A.	1,800.00	900.00	900.00	1,200	1,200
Janitor and clerk.....	Ch. 292-376 A.	1,080.00	840.00	840.00	1,120	1,120
Contingent fund.....	Ch. 292-376 A.	800.00	400.00	400.00	600	600
County examinations.....	S. 100-A		7,251.00		20,000	20,000
Municipal examinations.....	S. 1050-a11		4,554.00		8,000	8,000
Total.....		\$ 36,640.00	\$ 20,125.00	\$ 18,320.00	\$ 51,668	\$ 51,668

The increase in compensation to the clerks and officers in the Auditor's Department is felt to be justified not only because of the increase in the volume of business, but also by the fact that living expenses have increased nearly 70 per cent in the last two years.

## BANKING DEPARTMENT.

Items For Which Money is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-18	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-1921
Superintendent .....	Ch. 40-37G. A.		\$ 3,974.35	Fees	\$ 4,000	\$ 4,000
Contingent .....	Ch. 40-37G. A.		275.87		600	600
Assistant superintendent .....					3,600	3,600
Attorney .....					3,600	3,600
Four clerks in office .....	Ch. 40-37G. A.		4,597.29		7,500	7,500
Two clerks in office .....					3,000	3,000
Eight examiners .....	Ch. 40-37G. A.		15,942.23		28,400	28,400
Six examiners .....					14,400	14,400
Trav. expenses of examiners .....	Ch. 40-37G. A.		8,179.32		16,800	16,800
<b>Total</b> .....			<b>\$ 32,309.05</b>		<b>\$ 79,000</b>	<b>\$ 79,000</b>

To place this Department upon the high level of similar departments of other states of our wealth, and the national system, we should have additional employes as follows: One assistant superintendent, one attorney, two clerks in office and six examiners.

The present fees are wholly inadequate pay for the services rendered and far below similar charges made by acceptable state departments, or the national system. We should have semi-annual examinations as prevail in the most successful systems, and the fees be based upon total resources as in the national system—\$25.00 for the first \$25,000.00 of assets and two cents for each additional thousand dollars of assets.

## BOARD OF CONTROL.

Members' salaries (3).....	S. 2727-A4	\$ 15,000.00	\$ 9,000.00	\$ 9,000.00	\$ 15,000	\$ 15,000
Secretary .....	S. 2727-A3	5,000.00	2,500.00	2,500.00	5,000	3,000
Architect .....	S. 2727-A23	6,000.00	3,000.00	3,000.00	3,000	3,000
Chief accountant .....	Ch. 294-37G. A.	3,600.00	1,800.00	1,800.00	1,800	1,900
First Asst. accountant.....	Ch. 294-37G. A.	2,800.00	1,400.00	1,400.00	1,600	1,600
Second Asst. accountant.....	Ch. 294-37G. A.	2,000.00	1,000.00	1,000.00	1,500	1,500
Purchasing agent .....	Ch. 294-37G. A.	3,000.00	1,500.00	1,500.00	1,700	1,700
Estimate clerk .....	Ch. 294-37G. A.	2,400.00	1,200.00	1,200.00	1,400	1,400
Statistician .....	Ch. 294-37G. A.	400.00	1,200.00	1,200.00	1,400	1,400
Parole clerk .....	Ch. 294-37G. A.	2,000.00	1,000.00	1,000.00	1,200	1,200
File clerk .....	Ch. 294-37G. A.	1,000.00	1,000.00	1,000.00	1,100	1,100
Stenographer .....	Ch. 294-37G. A.	1,800.00	900.00	900.00	1,080	1,080
Stenographer .....	Ch. 294-37G. A.	1,800.00	900.00	900.00	1,080	1,080
Stenographer .....	Ch. 294-37G. A.	1,800.00	900.00	900.00	1,080	1,080
Storekeeper and clerk.....	Ch. 294-37G. A.	2,000.00	1,000.00	1,000.00	1,200	1,200
Extra help .....	Ch. 294-37G. A.	4,000.00			2,500	2,500
Draftsman .....	Ch. 294-37G. A.	3,000.00			1,500	1,500
Architect's expense .....	S. 2727-A23	2,000.00	525.40	1,474.60	750	750
Consulting architect .....	S. 2727-A23	3,000.00	1,125.00	1,500.00		
State agent's sal. and exp. ....	S. 2992-C	18,000.00	8,725.95	9,000.00	10,000	10,000
Insp. county private inst'n's ..	S. 3260-N	4,000.00	2,410.29	1,589.71	3,000	3,000
Expense of tuberculosis.....	S. 2727-A4		3,455.97		4,500	4,500
Invest'n of tuberculosis.....	S. 2727-A89		4,254.82	3,745.18	5,000	5,000
Transport'n of patients.....	S. 2727-A84	10,000.00				
Quarterly conference .....	S. 2727-A69	500.00	160.92	339.08	250	250
State aid—Homes for Friendless Girls .....	Ch. 292-37G. A.	5,000.00	1,247.00	3,753.00	2,500	2,500
State roads .....			27,286.20		12,500	12,500
<b>Total</b> .....		<b>\$107,900.00</b>	<b>\$ 78,373.55</b>	<b>\$ 52,621.57</b>	<b>\$ 80,820</b>	<b>\$ 80,820</b>

## BOARD OF HEALTH.

Items For Which Money is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-18	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-1921
Physician members, salaries	S. 2564	\$ 7,300.00	\$ 3,600.00	\$ 3,600.00	\$ 3,600	\$ 3,600
Engineer's salary	S. 2564	5,000.00	2,500.00	2,500.00	2,500	2,500
Secretary's sal. and dept. expenses	S. 2575	10,000.00	4,749.42	5,000.00	15,000	15,000
Asst. secretary's salary	Ch. 292-37G. A.	2,400.00	1,200.00	1,200.00	1,800	1,800
Chief clerk	Ch. 292-37G. A.	1,800.00	900.00	900.00	1,800	1,800
Bookkeeper	Ch. 292-37G. A.	1,800.00	900.00	900.00	1,200	1,200
Assistant registrar	Ch. 292-37G. A.	1,800.00	900.00	900.00	1,200	1,200
For extra clerk hire	Ch. 292-37G. A.	1,800.00	884.42	900.00	1,800	1,800
Engineer clerk					1,200	1,200
Vital statistics clerk					1,000	1,000
Antitoxin department	S. 2575-D	4,000.00	1,563.71	2,000.00	2,000	2,000
Embalmers' department	S. 2575-A44		1,207.78		Fees	Fees
Nurses' department	S. 2575-A34		1,092.71		Fees	Fees
Vital statistics department	Ch. 326-37G. A.	6,000.00	3,000.00	3,000.00	4,000	4,000
Medical examiners depart't.	S. 2583		1,124.99		Fees	Fees
Optometry department	S. 2583-P		632.90		Fees	Fees
Bacteriological department	Ch. 286-37G. A.	16,000.00	8,000.00	8,000.00	14,000	14,000
Total		\$ 87,800.00	\$ 32,255.93	\$ 28,900.00	\$ 51,100	\$ 51,100

Note.—An increase of \$6,000.00 annually is asked for the Bacteriological Laboratory, located at the State University. There is also \$5,000.00 now appropriated annually for epidemiology to the State University, which is in the university budget. This \$5,000.00 is used for epidemiological investigation in connection with the University and State Board of Health work, which work is carried on in studying epidemics which may occur in the state.

## BOARD OF PAROLE.

Secretary's salary	S. 5718-A15	\$ 4,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000	\$ 2,000
Members and assistants, salaries and expenses	S. 5718-A15		19,900.68		25,000	25,000
Total		\$ 4,000.00	\$ 21,900.68	\$ 2,000.00	\$ 27,000	\$ 27,000

## BUREAU OF LABOR STATISTICS.

Commissioner, salary	S. 2477	\$ 3,600.00	\$ 1,800.00	\$ 1,800.00	\$ 3,000	\$ 3,000
Deputy	S. 2477	3,000.00	1,500.00	1,500.00	2,400	2,400
Three inspectors	S. 2477	7,200.00	3,600.00	3,600.00	5,250	5,400
Statistician	Ch. 292-37G. A.	2,400.00	1,200.00	1,200.00	1,500	1,500
Department clerk	S. 2477	2,000.00	974.99	1,000.00	1,200	1,200
Employment clerk	S. S. 2477-gl	2,400.00	1,189.30	1,200.00	1,500	1,500
Extra clerk	Ret. & Ref.	450.00	100.00	350.00		
Traveling expenses	S. 2477	8,000.00	3,191.75	4,000.00	5,000	5,000
Three inspectors					4,650	5,400
Stenographer					1,000	1,000
Total		\$ 29,050.00	\$ 13,536.04	\$ 14,650.00	\$ 24,900	\$ 25,400

The Retrenchment and Reform Committee appropriated \$450 for temporary clerk to help on our 18th biennial report; \$100 was expended in June, 1918, and the balance in July, August, September and October at \$100 per month. Estimates for commissioner, deputy commissioner, statistician, and department clerk are based upon needed increases of salaries. In the estimates on salaries of inspectors an increase of \$25 per month has been added after the first six months of service and an additional \$25 per month after one year's service. Three additional inspectors (two men and one woman), each to be paid \$100 per month for the first six months, \$125 for the next six months, and on the basis of \$1,900 per year thereafter the same as the other inspectors. An additional stenographer at \$1,000 per annum is included.

## CLERK OF THE SUPREME COURT.

Items For Which Money is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1918	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-21
Clerk's salary .....	C. 295	\$ 5,400.00	\$ 2,700.00	\$ 2,700.00	\$ 3,800	\$ 3,600
Deputy clerk's salary.....	C. 295	3,600.00	1,800.00	1,800.00	2,500	2,500
File clerk's salary.....	Ch. 292-37G. A.	2,400.00	1,200.00	1,200.00	1,500	1,500
General clerk's salary.....	Ch. 292-37G. A.	1,800.00	900.00	900.00	1,200	1,200
Messenger and janitor.....	Ch. 292-37G. A.	1,080.00	840.00	840.00	1,000	1,000
Extra stenographer .....	Ch. 292-37G. A.	100.00	79.75	20.25	100	100
Total .....		\$ 14,380.00	\$ 7,519.75	\$ 7,460.25	\$ 9,900	\$ 9,900

## COMMISSIONER OF INSURANCE.

Commissioner .....	S. 1683-r2	\$ 6,000.00	\$ 3,000.00	\$ 3,000.00	\$ 5,000	\$ 5,000
Deputy commissioner .....	S. 1683-r2	3,600.00	1,800.00	1,800.00	3,000	3,000
Actuary .....	S. 1821-c	6,000.00	3,000.00	3,000.00	4,000	4,000
Assistant actuary .....					2,500	2,500
Chief examiner .....	S. 1821-c	4,000.00	2,000.00	2,000.00	3,000	3,000
Policy clerk .....					3,000	3,000
Security clerk .....	S. 1683-r2	3,200.00	1,600.00	1,600.00	2,000	2,000
Assistant security clerk .....			550.00	1,320.00	1,500	1,500
Fee clerk .....	S. 1683-r2	2,800.00	1,400.00	1,400.00	1,800	1,800
General clerk .....	S. 1683-r2	2,400.00	1,200.00	1,200.00	1,500	1,500
Two stenographers .....	S. 1683-r2	3,600.00	1,800.00	1,800.00	2,400	2,400
Three stenographers .....					3,000	3,000
Messenger and janitor.....			400.00	960.00	1,200	1,200
Additional assistants .....	S. 1683-r2		5,202.63	5,500.00	5,000	5,000
Contingent expense .....	S. 1683-r2	2,000.00	522.90	1,000.00	1,000	1,000
Examination expense .....	S. 1821-c		11,299.18	13,000.00	20,000	20,000
Total .....		\$ 33,600.00	\$ 33,435.41	\$ 37,580.00	\$ 59,900	\$ 59,900

In the estimates, provision is made for a policy clerk and an assistant actuary, which are not provided by law. Additional stenographers are a necessity. Authority was granted by the Executive Council for the appointment of a Assistant Security Clerk during the year 1918.

## CUSTODIAN OF BUILDING AND GROUNDS.

Items For Which Money is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1918-19	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-21
Chief engineer .....	Ch. 294-37G. A.	\$ 3,000.00	\$ 1,800.00	\$ 1,800.00	\$ 2,100	\$ 2,100
First assistant engineer .....	Ch. 294-37G. A.	2,600.00	1,300.00	1,300.00	1,500	1,500
Second assistant engineer .....	Ch. 294-37G. A.	2,400.00	1,200.00	1,200.00	1,400	1,400
Third assistant engineer .....					1,400	1,400
Electrician .....	Ch. 294-37G. A.	2,600.00	1,300.00	1,300.00	1,500	1,500
Assistant electrician .....	Ch. 294-37G. A.	2,400.00	1,200.00	1,200.00	1,400	1,400
Carpenter .....	Ch. 294-37G. A.	2,400.00	1,200.00	1,200.00	1,500	1,500
Assistant carpenter .....					1,200	1,200
Painter .....	Ch. 294-37G. A.	2,000.00	1,000.00	1,000.00	1,200	1,200
Assistant painter .....					1,000	1,000
Night watchmen (2) .....	Ch. 294-37G. A.	3,600.00	1,800.00	1,800.00	2,880	2,880
Boiler mechanic (tender) .....	Ch. 294-37G. A.	2,000.00	1,000.00	1,000.00	1,200	1,200
Firemen (6) .....	Ch. 294-37G. A.	12,000.00	6,000.00	6,000.00	5,500	5,500
Night fireman .....					1,200	1,200
9 floor janitors .....	Ch. 294-37G. A.	15,120.00	7,560.00	7,560.00		
1 janitor, Railroad Comm'n .....	Ch. 294-37G. A.	1,680.00	840.00	840.00		
1 janitor Horticulture and Attorney General .....	Ch. 294-37G. A.	1,680.00	840.00	840.00		
7 janitors for Capitol Bldg. .....	Ch. 294-37G. A.	11,760.00	5,880.00	5,880.00		
1 janitor Agricultural Dept. .....	Ch. 294-37G. A.	1,800.00	900.00	900.00		
1 janitor Adjutant General, G. A. R. & Geolog. Surv. .....	Ch. 294-37G. A.	1,680.00	840.00	840.00		
10 floor janitors .....					9,600	9,600
12 office janitors .....					11,520	11,520
Washing towels .....	Ch. 294-37G. A.	600.00	311.00	300.00	300	300
Removing snow and ex. help .....	Ch. 294-37G. A.	1,000.00	499.80	500.00	1,500	1,500
Matron (janitress) .....	Ch. 294-37G. A.	1,560.00	780.00	780.00	900	900
Elevator tender .....	Ch. 294-37G. A.	1,680.00	840.00	840.00	1,080	1,080
Florist (gardener) .....	Ch. 294-37G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Yard men (2) .....	Ch. 294-37G. A.	3,300.00	1,680.00	1,680.00	1,080	1,080
Extra night watch .....	Ch. 294-37G. A.	1,680.00	622.96	840.00	840	840
Total .....		\$ 81,000.00	\$ 40,494.00	\$ 40,800.00	\$ 54,200	\$ 54,200

## DEPARTMENT OF AGRICULTURE AND STATE FAIR.

Insurance .....	S. 1657-t	\$ 2,000.00	\$ 1,609.27	\$ 1,000.00	\$ 1,600	\$ 1,600
Support of Dept. of Agr. ...	S. 1657-t	4,800.00	2,400.00	2,400.00	2,400	2,400
Maintenance State Fair grounds and buildings .....	Ch. 272-37G. A.	20,000.00	24,244.00		15,000	15,000
Additional ground .....					35,000	
Total .....		\$ 26,800.00	\$ 28,253.27	\$ 3,400.00	\$ 54,000	\$ 19,000

## DAIRY AND FOOD DEPARTMENT.

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-18	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-21
Commissioner .....	S. S. 2515	\$ 3,400.00	\$ 2,700.00	\$ 2,700.00	\$ 3,600	\$ 3,600
Deputy commissioner .....	S. S. 2515	3,600.00	1,800.00	1,800.00	2,600	2,600
State chemist .....	S. S. 2515	4,800.00	2,400.00	2,400.00	3,000	3,000
6 ass't dairy commissioners	S. S. 2515	9,600.00	4,800.00	4,800.00	12,000	12,000
3 ass't dairy and food commissioners	S. S. 2515	9,600.00	4,800.00	4,800.00	6,000	6,000
1 chief milk inspector	S. S. 2515	3,200.00	1,600.00	1,600.00	2,000	2,000
Chief Wt. & Meas. Inspector	S. S. 2515	3,600.00	1,800.00	1,800.00	2,400	2,400
7 ass't food commissioners	S. S. 2515	22,400.00	11,200.00	11,200.00	14,000	14,000
2 ass't Wt. & Meas. insp'rs	S. S. 2515	6,400.00	3,200.00	3,200.00	4,000	4,000
2 ass't Wt. & Meas. insp'rs	S. S. 2515				4,000	4,000
1 ass't state chemist	S. S. 2515	4,000.00	2,000.00	2,000.00	2,500	2,500
1 ass't state chemist	S. S. 2515	3,200.00	1,600.00	1,600.00	2,000	2,000
1 chief clerk	S. S. 2515	2,400.00	1,200.00	1,200.00	1,800	1,800
1 license clerk	S. S. 2515	1,800.00	900.00	900.00	1,400	1,400
2 clerks	S. J. R. 22-36G. A.	3,600.00	1,800.00	1,800.00	2,400	2,400
1 stenographer	S. J. R. 22-36G. A.	1,800.00	900.00	900.00	1,100	1,100
1 janitor	S. J. R. 22-36G. A.	1,500.00	750.00	750.00	1,000	1,000
Extra clerk hire	S. J. R. 22-36G. A.	1,000.00	500.00	500.00	500	500
Expense	S. S. 4099-S 31-F	93,000.00	34,000.00	33,980.00	40,000	40,000
<b>Total</b> .....		<b>\$155,960.00</b>	<b>\$ 78,000.00</b>	<b>\$ 77,980.00</b>	<b>\$ 106,400</b>	<b>\$106,400</b>

## DAIRY AND BEEF INDUSTRY.

Dairy industry .....	S. S. 2528-113	\$ 7,500.00	\$ 4,832.33	\$ 2,767.67	\$ 7,500	\$ 7,500
Beef industry .....	S. S. 2528-113	7,500.00	3,937.83	3,562.17	5,000	5,000
<b>Total</b> .....		<b>\$ 15,000.00</b>	<b>\$ 8,770.16</b>	<b>\$ 6,329.84</b>	<b>\$ 12,500</b>	<b>\$ 12,500</b>

## DISTRICT COURT.

Judges salaries .....	S. S. 253	\$463,250.00	\$223,214.51	\$240,000.00	\$ 256,000	\$256,000
Judges expenses	S. S. 253	25,200.00	8,512.50	12,600.00	12,800	12,800
Expenses outside district	S. 240a		283.79		250	250
<b>Total</b> .....		<b>\$488,450.00</b>	<b>\$232,010.80</b>	<b>\$252,600.00</b>	<b>\$ 269,050</b>	<b>\$269,050</b>

## DOCUMENT DEPARTMENT.

Document editor .....	S. 144-e	\$ 4,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000	\$ 2,000
Stenographer and secretary	Ch. 292-37G. A.	1,800.00	900.00	900.00	900	900
Document clerk	Ch. 292-37G. A.	2,600.00	1,300.00	1,300.00	1,300	1,300
Assistant and janitor	Ch. 292-37G. A.	1,800.00	900.00	900.00	900	900
Expert proofreader					2,000	2,000
Extra help and travel'g exp.					1,500	1,500
<b>Total</b> .....		<b>\$ 10,200.00</b>	<b>\$ 5,100.00</b>	<b>\$ 5,100.00</b>	<b>\$ 8,600</b>	<b>\$ 8,600</b>
Printing .....	S. 121		\$ 34,620.49			
Binding	S. 121		22,244.17			
Engraving	S. 137-a		1,878.62			
<b>Total</b> .....			<b>58,741.28</b>			
All printing combined	Ch. 183-37G. A.				\$ 80,000	\$ 80,000

Note.—The printing in the legislative year averages about 30 per cent more than in the first year of each biennium. Under the new law the separate funds disappear.



## GOVERNOR.

Items For Which Money is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-18	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-21
Salaries: Governor .....	S. 65	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000	\$ 5,000
As member of Ex. Council.....	Ch. 292-37G. A.	2,400.00	1,200.00	1,200.00	1,200	1,200
Secretary to Governor.....	S. 65	3,600.00	1,800.00	1,800.00	4,000	4,000
Pardon clerk .....	Ch. 292-37G. A.	2,600.00	1,300.00	1,300.00	2,000	2,000
Requisition clerk .....	Ch. 292-37G. A.	2,600.00	1,300.00	1,300.00	1,600	1,600
Notarial clerk .....	Ch. 292-37G. A.	1,800.00	900.00	900.00	1,200	1,200
Messenger and usher .....	Ch. 292-37G. A.	1,810.00	900.00	900.00	1,200	1,200
Governor's house rent.....	Ch. 292-37G. A.	1,200.00	600.00	600.00	600	600
Contingent fund .....	Ch. 292-37G. A.	3,000.00	1,139.72	1,860.28	2,500	2,500
Additional counsel .....	Ch. 292-37G. A.	2,500.00			1,250	1,250
Return of paroled prisoners	Ch. 292-37G. A.	200.00			100	100
Pub'g of pardon notices.....	Ch. 292-37G. A.	800.00	126.50	673.50	400	400
Return of fugitives.....	C. 5181		4,534.64		4,000	4,000
Defense of patents.....	S. 64-a		4,510.00		1,000	1,000
State agents .....	S. S. 65-c		13,742.72		12,500	12,500
<b>Total .....</b>		<b>\$ 32,500.00</b>	<b>\$ 56,654.44</b>	<b>\$ 15,533.78</b>	<b>\$ 38,550</b>	<b>\$ 38,500</b>

## HISTORICAL DEPARTMENT.

Salaries: Curator .....	Ch. 292-37G. A.	\$ 4,800.00	\$ 2,400.00	\$ 2,400.00	\$ 2,880	\$ 2,880
Assistant curators (2).....	Ch. 292-37G. A.	7,200.00	3,600.00	3,600.00	4,320	4,320
Assistant curators (5).....	Ch. 292-37G. A.	12,000.00	5,801.77	6,000.00	7,200	7,200
Clerks (5) .....	Ch. 292-37G. A.	10,000.00	4,915.22	5,000.00	6,000	6,000
Mch. caretakers (5).....	Ch. 292-37G. A.	9,000.00	4,397.80	4,500.00	5,400	5,400
Guards (6) .....	Ch. 292-37G. A.	9,300.00	4,680.00	4,680.00	5,616	5,616
Marking historic sites.....	Ch. 292-37G. A.	600.00	489.94	110.06	12,500	12,500
Acquiring historic and scenic areas .....	Ch. 292-37G. A.	200.00		200.00	5,000	5,000
Hospitality .....	Ch. 292-37G. A.	250.00	88.83	181.17	125	125
Traveling expense .....	Ch. 292-37G. A.	500.00	293.58	206.42	250	250
Making and acquir'g motion pictures of Iowa matters.....	Ch. 292-37G. A.	1,200.00	751.76	448.24	1,250	1,250
Office supplies, archives.....	Ch. 292-37G. A.	1,750.00	167.50	1,582.50	875	875
Adjust'g J. J. Ryman claim of loss .....	Ch. 292-37G. A.	300.00	190.50	109.41		
Marking historic sites.....					12,500	12,500
Acquiring historic and scenic areas .....					5,000	5,000
Acquis'n of hist' collect'ns.....					5,000	5,000
Organization for Iowa war census: Asst. Curator, di- rector of war census (1).....					2,160	2,160
Clerks (5) \$120 per mo.....					7,200	7,200
Stenographer (1) .....					1,200	1,200
<b>Total .....</b>		<b>\$ 57,100.00</b>	<b>\$ 27,836.99</b>	<b>\$ 29,017.80</b>	<b>\$ 66,976</b>	<b>\$ 66,976</b>

## HOTEL INSPECTION.

Department receipts .....	S. S. 2514-S	\$*15,014.00		\$ 305.03		
Hotel inspector .....			\$ 1,500.00			
Clerical services .....			795.00			
Deputies per diem and exp.....			4,672.96			
Inspector's expense .....			164.00			
Printing .....			241.33			
Postage .....			103.00			
Miscellaneous .....			26.30			
<b>Total .....</b>			<b>\$ 7,472.67</b>		<b>\$ 7,500</b>	<b>\$ 7,500</b>



## IOWA INDUSTRIAL COMMISSIONER.

Items For Which Money Is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-18	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-21
Appropriation .....	S. 2477-m23	\$ 40,000.00		\$ 20,000.00		
Salaries .....						
Commissioner .....			\$ 2,000.00		\$ 2,000	\$ 2,000
Deputy (1) * .....			2,000.00		2,000	2,000
Secretary .....			1,500.00		1,500	1,500
Chief clerk .....			1,200.00		1,200	1,200
Filing clerk .....			1,000.00		1,000	1,000
Stenographer (1) .....			900.00		900	900
Stenographer and clerk (2) .....			1,800.00		1,800	1,800
Clerk (1), 7 mos. .....			225.00		900	900
Extra clk. in vacat'n period .....			136.11		100	100
Medical counsel (1), 4 mos. .....			200.00		600	600
Miscellaneous expense .....			2,726.11		4,200	4,200
Total .....		\$ 40,000.00	\$ 14,967.22	\$ 20,000.00	\$ 17,200	\$ 17,200

## IOWA GEOLOGICAL SURVEY.

Director's salary .....	C. 2502		\$ 900.00			
Asst. director's salary .....	C. 2502		2,000.00			
Other salaries .....	C. 2502		2,483.70			
Expenses .....	C. 2502		1,093.42			
Total .....		\$ 26,000.00	7,077.12	\$ 8,922.88	\$ 8,000	\$ 8,000
Secretary's salary .....	Ch. 292-37G. A.	2,000.00	1,000.00	1,000.00	1,000	1,000
Total .....		\$ 18,000.00	\$ 8,077.12	\$ 9,922.88	\$ 9,000	\$ 9,000

## IOWA LIBRARY COMMISSION.

Department appropriation .....	S. 2888h	\$ 30,000.00		\$ 15,000.00		
Secretary .....	S. 2888h		\$ 1,000.00		\$ 1,800	\$ 1,800
Librarian, traveling library .....	S. 2888h		1,080.00		1,200	1,200
Reference librarian .....			900.00		1,500	1,600
Organizer .....			1,000.00		1,100	1,100
Cataloguer .....			900.00		1,500	1,000
Two stenographers .....			1,800.00		1,800	1,800
General assistant .....			720.00		720	720
Extra salary fund including shipping clerk .....			1,000.00		1,000	1,000
General fund: .....						
Books .....			4,146.18		4,000	4,000
Miscellaneous .....			1,808.06		2,000	2,000
Total .....		\$ 20,000.00	\$ 14,954.24	\$ 15,000.00	\$ 15,620	\$ 15,620

Accumulated unassigned salary balance July 1, 1918, \$2,628.00.

## IOWA NATIONAL GUARD.

Items For Which Money is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-18	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-21
Department appropriation..	Ch. 314-37G. A.	\$530,000.00		\$205,000.00	\$ 205,000	\$205,000
Armory rent .....	Ch. 314-37G. A.		\$ 63,126.86			
Building & ground improv't	Ch. 314-37G. A.		12,434.33			
Express, freight & cartage..	Ch. 314-37G. A.		57.32			
Office expense .....	Ch. 314-37G. A.		200.75			
Printing and binding.....	Ch. 314-37G. A.		84.50			
Physical examinations.....	Ch. 314-37G. A.		60.50			
Rifle range allowance.....	Ch. 314-37G. A.		100.00			
Salaries .....	Ch. 314-37G. A.		8,897.77			
Service badges .....	Ch. 314-37G. A.		75.00			
Transportation .....	Ch. 314-37G. A.		554.84			
Telegraph and telephone.....	Ch. 314-37G. A.		88.49			
Miscellaneous allowance.....	Ch. 314-37G. A.		1,464.59			
Headquarters allowance.....	Ch. 314-37G. A.		526.16			
Misc. office expense .....	Ch. 314-37G. A.		1,001.39			
Misc. expense, State Farm..	Ch. 314-37G. A.		1,139.57			
<b>Total .....</b>		<b>\$530,000.00</b>	<b>\$ 89,812.04</b>	<b>\$205,000.00</b>	<b>\$ 205,000</b>	<b>\$205,000</b>

## IOWA WEATHER AND CROP SERVICE.

Director's salary .....	S. 1681	\$ 3,000.00	\$ 1,500.00	\$ 1,500.00	\$ 1,800	\$ 1,800
Stenographer and statistician and extra clerk hire.....	S. 1681	*2,100.00	869.83	1,200.00	1,275	1,275
Expenses .....	S. 1681	600.00	325.83	300.00	625	625
<b>Total .....</b>		<b>\$ 5,700.00</b>	<b>\$ 2,695.66</b>	<b>\$ 3,000.00</b>	<b>\$ 3,700</b>	<b>\$ 3,700</b>

\*\$300 specially authorized for fiscal year ending June 30, 1919, by Committee on Retrenchment and Reform.

## MINE INSPECTION.

Inspectors salaries, 3 insp's	S. 2483	\$ 10,800.00	\$ 5,400.00	\$ 5,400.00	\$ 9,000	\$ 9,000
Inspectors exp., 3 insp'rs..	S. 2483	4,500.00	2,250.00	2,250.00	3,000	3,000
Secretary and clerk.....	Ch. 292-37G. A.	3,000.00	1,500.00	1,500.00	1,800	1,800
<b>Total .....</b>		<b>\$ 18,300.00</b>	<b>\$ 9,150.00</b>	<b>\$ 9,150.00</b>	<b>\$ 13,800</b>	<b>\$ 13,800</b>

## STATE MINING BOARD.

Board of Examiners, for in- spectors, etc.	S. 2489-c		\$ 2,359.99		\$ 3,000	\$ 3,000
On per diem and expense basis .....						

## STATE OIL INSPECTION.

Appropriation .....	S. S. 2507	\$ 64,000.00		\$ 32,000.00		\$ 38,000
Chief inspector .....	S. S. 2507		1,800.00		2,400	
Inspectors .....	S. S. 2507		15,600.00		15,600	
Deputies and branders.....	S. S. 2507		6,400.00		7,750	
Clerk .....	S. S. 2507		900.00		1,200	
Expenses .....	S. S. 2507		7,792.85		11,060	
<b>Total .....</b>		<b>\$ 64,000.00</b>	<b>\$ 32,452.85</b>	<b>\$ 32,000.00</b>	<b>\$ 38,000</b>	<b>\$ 38,000</b>

## PHARMACY COMMISSION.

Items For Which Money is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-18	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-21
Three members .....	S. S. 2587	\$ 9,000.00	\$ 4,500.00	\$ 4,500.00	\$ 4,500	4,500
Secretary-treasurer .....	S. S. 2583	3,600.00	1,800.00	1,800.00	2,000	2,000
Expenses .....	S. S. 2587	800.00	2,233.51	414.90	2,500	2,500
Extra clerk .....	Ch. 292-37G. A.	800.00	385.10	414.90	400	400
Total .....		\$ 13,400.00	\$ 8,918.61	\$ 6,714.90	\$ 2,400	\$ 2,400

## PENSION AND RELIEF.

Jopling, Clyde .....	Ch. 250-36G. A.	\$ 240.00	\$ 120.00	\$ 120.00	\$ 120	\$ 120
Jopling, Etta .....	Ch. 250-36G. A.	120.00	60.00	60.00	60	60
Jopling, Fay .....	Ch. 250-36G. A.	240.00	120.00	120.00	120	120
Hull .....	Ch. 129-25G. A.	480.00	240.00	240.00	240	240
Metz .....	Ch. 117-16G. A.	480.00	240.00	240.00	240	240
Survivors of Spirit Lake Re- lief Expedition .....	Ch. 348-35G. A.	-----	1,440.00	1,270.00	1,200	1,200
Survivors of Northern Brig. .....	Ch. 164-37G. A.	-----	10,448.00	-----	8,880	8,880
Total .....		\$ 1,560.00	\$ 12,668.00	\$ 2,660.00	\$ 10,860	\$ 10,860

## RAILROAD COMMISSION AND COMMERCE COUNSEL DEPARTMENT.

Members' salaries (3) .....	Ch. 292-37G. A.	\$ 18,000.00	\$ 9,000.00	\$ 9,000.00	\$ 15,000	\$ 15,000
Commerce counsel's salary .....	Ch. 292-37G. A.	10,000.00	5,000.00	5,000.00	5,000	5,000
Secretary's salary .....	Ch. 292-37G. A.	4,400.00	2,200.00	2,200.00	3,500	3,500
Railroad maps .....	Ch. 93-37G. A.	4,800.00	4,068.00	132.00	-----	-----
Regular employes .....	Ch. 260-37G. A.	\$113,900.00	-----	80,757.50	57,000	57,000
Traveling expenses .....	Ch. 260-37G. A.	-----	20,112.19	-----	-----	-----
Extra help .....	Ch. 260-37G. A.	-----	4,081.65	-----	-----	-----
Transcript and reporting .....	Ch. 260-37G. A.	-----	182.00	-----	-----	-----
Supplies .....	Ch. 260-37G. A.	-----	602.13	-----	-----	-----
Periodicals .....	Ch. 260-37G. A.	-----	155.22	-----	-----	-----
Law books .....	Ch. 260-37G. A.	-----	214.30	-----	-----	-----
Books other than law .....	Ch. 260-37G. A.	-----	226.30	-----	-----	-----
Valuation Comm. National Assn. of Ry. Comm'rs. ....	Ch. 260-37G. A.	-----	120.31	-----	-----	-----
Typewriter rental .....	Ch. 260-37G. A.	-----	1,000.00	-----	-----	-----
Printing, bind'g and engr'g .....	Ch. 260-37G. A.	-----	3.50	-----	-----	-----
Publishing official notices .....	Ch. 260-37G. A.	-----	138.92	-----	-----	-----
Miscellaneous .....	Ch. 260-37G. A.	-----	45.01	-----	-----	-----
Total .....		\$151,100.00	\$ 54,010.41	\$ 97,089.50	\$ 80,500	\$ 80,500

## SECRETARY OF STATE.

Items For Which Money is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-18	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-21
Secretary of State.....	S. 86	\$ 7,200.00	\$ 3,600.00	\$ 3,600.00	\$ 3,600	\$ 3,600
Deputy .....	S. 87	3,600.00	1,800.00	1,800.00	2,700	2,700
Clerk Land Dept. ....	S. 88	3,000.00	1,500.00	1,500.00	1,700	1,700
Chief clerk .....	Ch. 292-37G. A.	3,200.00	1,600.00	1,600.00	2,000	2,000
General clerk .....	Ch. 292-37G. A.	2,400.00	1,200.00	1,200.00	1,500	1,500
Corporation clerk .....	Ch. 292-37G. A.	2,400.00	1,200.00	1,200.00	1,400	1,400
Assistant corporation clerk.....	Ch. 292-37G. A.	2,400.00	1,200.00	1,200.00	1,400	1,400
Stenographer .....	Ch. 292-37G. A.	1,800.00	900.00	900.00	1,080	1,080
Code and Supp. clerk.....	Ch. 292-37G. A.	2,400.00	1,200.00	1,200.00	1,400	1,400
Janitor .....	Ch. 292-37G. A.	1,800.00	780.00	780.00	924	924
Supt. Bond and Inv. Div. ....	S. 1920-t11	4,800.00	2,400.00	2,400.00	2,700	2,700
Clerk .....	S. 1920-t11	3,000.00	1,500.79	1,500.00	1,600	1,600
Clerk .....	S. 1920-t11	2,400.00	1,200.00	1,200.00	1,400	1,400
Clerk .....	S. 1920-t11	2,400.00	1,200.00	1,200.00	1,200	1,200
Total .....		\$ 42,800.00	\$ 19,880.79	\$ 21,280.00	\$ 24,604	\$ 24,604

## MOTOR VEHICLE DEPARTMENT.

Chief clerk .....	Ch. 292-37G. A.	\$ 3,000.00	\$ 1,500.00	\$ 1,500.00	\$ 2,000	\$ 2,000
Cashier .....	Ch. 292-37G. A.	2,400.00	1,200.00	1,200.00	1,600	1,600
Chief examiner .....	Ch. 292-37G. A.	2,400.00	1,200.00	1,200.00	1,500	1,500
Examiner .....	Ch. 292-37G. A.	2,000.00	1,000.00	1,000.00	1,200	1,200
Examiner .....	Ch. 292-37G. A.	2,000.00	1,000.00	1,000.00	1,200	1,200
Bookkeeper .....	Ch. 292-37G. A.	2,000.00	1,000.00	1,000.00	1,600	1,600
Stenographer .....	Ch. 292-37G. A.	1,800.00	900.00	900.00	1,080	1,080
Index clerk .....	Ch. 292-37G. A.	1,800.00	900.00	900.00	1,080	1,080
Index clerk .....	Ch. 292-37G. A.	1,800.00	900.00	900.00	1,080	1,080
General clerk .....	Ch. 292-37G. A.	2,400.00	1,200.00	1,200.00	1,400	1,400
Clerk .....	Ch. 292-37G. A.	2,000.00	1,000.00	1,000.00	1,200	1,200
Clerk .....	Ch. 292-37G. A.	1,800.00	900.00	900.00	1,100	1,100
Clerk .....	Ch. 292-37G. A.	1,500.00	780.00	780.00	960	960
Clerk .....	Ch. 292-37G. A.	1,500.00	780.00	780.00	960	960
Clerk .....	Ch. 292-37G. A.	1,500.00	780.00	780.00	960	960
Clerk .....	Ch. 292-37G. A.	1,500.00	780.00	780.00	960	960
Extra help .....	Ch. 294-37G. A.	8,000.00	4,000.00	4,000.00	16,000	16,000
Total .....		\$ 39,700.00	\$ 19,850.00	\$ 19,850.00	\$ 35,880	\$ 35,880

## STATE BOARD OF EDUCATION.

Finance committee (3).....	S. 2682-1	\$ 21,000.00	\$ 10,500.00	\$ 10,500.00	\$ 10,500	\$ 10,500
Members, clerks and exp. ....	S. 2682-1		13,042.00		20,000	20,000
Telephone, telegraph, etc. ....	Ch. 292-37G. A.	500.00	197.40	302.60	250	250
Total .....		\$ 21,500.00	\$ 23,739.40	\$ 10,802.60	\$ 30,750	\$ 30,750

## STATE BOARD OF VOCATIONAL EDUCATION.

Dirac'r and Superv. of Agr. Supervisor of trades and Industries .....			\$ 723.49	\$ 1,090.81	\$ 2,250	\$ 2,250
Superv. of home economics .....	Ch. 290-37G. A.			400.00	1,400	1,400
Advisory committee .....	Ch. 290-37G. A.			100.00	850	850
Clerical office help .....	Ch. 300-37G. A.	\$ 5,000.00	176.15	150.00	400	400
Traveling expense .....			9.60	200.00	900	900
Printing, stationery, etc. ....			221.43	425.00	2,100	2,100
Office furniture .....				50.00	600	600
Total .....			\$ 1,130.67	\$ 2,407.91	\$ 8,500	\$ 8,500

## STATE LIBRARY.

Items For Which Money is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-18	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-21
State Librarian .....	S. 2881-f	\$ 4,800.00	\$ 2,400.00	\$ 2,400.00	\$ 2,400	\$ 2,400
Law librarian .....	Ch. 292-37G. A.	4,000.00	2,000.00	2,000.00	2,000	2,000
First assistant librarian.....	S. 2881-g	2,200.00	1,100.00	1,100.00	1,500	1,500
First assistant librarian, additional salary .....	Ch. 292-37G. A.	200.00	100.00	100.00		
Second assistant librarian.....	S. 2881-g	2,000.00	1,000.00	1,000.00	1,400	1,400
Second assistant librarian, additional salary .....	Ch. 292-37G. A.	200.00	100.00	100.00		
Third assistant librarian.....	S. 2881-g	1,800.00	900.00	900.00	1,200	1,200
Third assistant librarian, additional salary .....	Ch. 292-37G. A.	200.00	100.00	100.00		
Legislative ref. assistant.....	Ch. 292-37G. A.	2,300.00	1,150.00	1,150.00	1,200	1,200
Research assistant .....	Ch. 292-37G. A.	2,400.00	1,200.00	1,200.00	1,400	1,400
Cataloger .....	Ch. 292-37G. A.	2,200.00	1,100.00	1,100.00	1,500	1,500
Bookkeeper, Law, Misc. & Historical Depts. ....	Ch. 292-37G. A.	2,000.00	1,000.00	1,000.00	1,500	1,500
Assistant Law Dept. ....	Ch. 292-37G. A.	1,800.00	900.00	900.00	1,200	1,200
Apprentice, Law & Legs. Ref. Dept. ....	Ch. 292-37G. A.	800.00	400.00	400.00	500	500
Janitor, Law Dept. ....	Ch. 292-37G. A.	1,680.00	840.00	840.00	900	900
Janitor, Adl Law Dept. ....					900	900
Head janitor, Misc. Dept. ....	Ch. 292-37G. A.	1,680.00	840.00	840.00	1,200	1,200
Janitor, Misc. Dept. ....	Ch. 292-37G. A.	1,680.00	840.00	840.00	900	900
Two apprentices, Misc. ....	Ch. 292-37G. A.	1,600.00	800.00	800.00	1,000	1,000
Law Dept., sup. ....	S. 2881-e	12,000.00	6,000.00	6,000.00	6,000	6,000
Miscellaneous Dept., sup. ....	S. 2881-e	12,000.00	6,000.00	6,000.00	6,000	6,000
Medical Dept., sup. ....					2,000	2,000
Medical Librarian .....					2,000	2,000
Total .....		\$ 57,440.00	\$ 28,720.00	\$ 28,720.00	\$ 28,720	\$ 28,720

The first, second and third assistants were given, under the Code, respectively \$1,200, \$1,000 and \$800 a year, and they were allowed each \$100 a year additionally by the Committee on Re-renchment and Reform.

## STATE FIRE MARSHAL.

For all purposes.....	S. 2468-p	\$ 27,000.00		\$ 13,500.00		
Ref. and Ref. Com. ....		450.00	\$ 225.00	225.00		
Fire Marshal .....	S. 2468-l		2,500.00		\$ 2,500	\$ 2,500
Deputy .....	S. 2468-l		1,800.00		1,800	1,800
Two assistants .....	S. 2468-l		3,000.00		3,300	3,300
Third assistant .....					1,500	1,500
Traveling expense .....	S. 2468-l		1,827.12		3,500	3,500
Chief clerk and stenog. ....	S. 2468-l		1,200.00		1,320	1,320
Extra clerical help .....	S. 2468-l		522.00		900	900
Miscellaneous expense .....	S. 2468-l		74.50		100	100
*Fees and mileage.....	S. 2468-l		2,803.35		3,000	3,000
Total .....		\$ 27,450.00	\$ 13,949.97	\$ 13,725.00	\$ 17,920	\$ 17,920

\*Paid to chiefs of fire departments, mayors and township clerks for reporting fires and also mileage to township clerks.

## STATE TREASURER.

Items For Which Money is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-18	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-21
Treasurer of State.....	S. 115	\$ 7,200.00	\$ 3,600.00	\$ 3,600.00	\$ 3,600	\$ 3,600
Deputy treasurer.....	S. 116	3,600.00	1,800.00	1,800.00	1,800	1,800
Deputy treasurer, extra.....	Ch. 228-36G. A.	1,200.00	600.00	600.00	600	600
General Revenue Dept.: Clerical help and messeng'rs	Ch. 228-36G. A.	11,400.00	5,700.00	5,700.00	6,600	6,600
*Bonds.....	S. 115-a	4,000.00	2,000.00	2,000.00	2,150	2,150
Coll. Inher. Tax Dept. Cost to Co. cl'ks & att'ys	S. 1481-a31	34,609.72	17,304.86	-----	20,000	20,000
**Clerical help.....	Ch. 228-36G. A.	2,200.00	1,100.00	-----	15,000	15,000
Total.....		\$ 64,209.72	\$ 32,104.86	\$ 13,700.00	\$ 49,750	\$ 49,750

\*This increase of \$150.00 is for a bond for the cashier whom I believe should be bonded for \$50,000.00 to be paid by the state.

\*\*I have increased the estimate in the Collateral Inheritance Tax Department quite materially, as I believe extra help, especially in field work will greatly increase the revenue derived from this tax.

## SUPERINTENDENT OF PUBLIC INSTRUCTION.

Salary of Superintendent.....	S. 2627-h	\$ 8,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000	\$ 4,000
Salary of deputy.....	S. 2627-h	5,000.00	2,500.00	2,500.00	3,000	3,000
Inspectors and chief clerk.....	S. 2627-h	15,000.00	7,500.00	7,500.00	9,300	9,300
Clerks.....	Ch. 292-37G. A.	7,080.00	3,395.94	3,540.00	4,000	4,000
Extra clerks.....	Ch. 292-37G. A.	1,600.00	583.80	800.00	800	800
Contingent fund.....		-----	-----	-----	500	500
Traveling expenses.....	S. 2627-b	-----	1,669.31	2,500.00	3,000	3,000
Normal institutes.....	S. 2738	10,000.00	4,850.00	5,000.00	4,950	4,950
Norm. training state aid.....	S. 2634-b-S	250,000.00	124,779.70	125,000.00	150,000	150,000
Consolidated schools.....		200,000.00	99,999.20	100,000.00	150,000	150,000
Educa'l Bd. of Exam'ners.....	S. 2634-a	Fees	15,307.85	*18,000.00	*16,000	*16,000
Total.....		\$490,680.00	\$264,883.80	\$268,840.00	\$ 345,550	\$345,550

\*Estimates.

## SUPREME COURT.

Bailiff's salary.....	Ch. 292-37G. A.	\$ 2,400.00	\$ 1,037.00	\$ 1,200.00	\$ 1,500	\$ 1,500
Seven judges, salary.....	S. 203-a	84,000.00	42,000.00	42,000.00	42,000	42,000
Judges' clerks, salary.....	Ch. 292-37G. A.	21,000.00	9,602.00	10,500.00	10,500	10,500
Incidental expense—C. J.....	Ch. 292-37G. A.	2,400.00	542.00	1,200.00	1,200	1,200
Total.....		\$109,800.00	\$ 53,241.00	\$ 54,900.00	\$ 55,200	\$ 55,200

## SUPREME COURT REPORTER.

Salaries.....	S. S. 224-m	\$ 16,000.00	-----	-----	-----	-----
Reporter.....	S. S. 224-m	-----	\$ 3,500.00	\$ 3,500.00	\$ 3,500	\$ 3,500
Assistant.....	S. S. 224-m	-----	1,200.00	1,200.00	2,000	2,000
Assistant.....	S. S. 224-m	-----	1,200.00	1,200.00	2,000	2,000
Stenographer and clerk.....	S. S. 224-m	-----	900.00	900.00	1,500	1,500
Stenographer and clerk.....	S. S. 224-m	-----	-----	900.00	1,500	1,500
Additional assistance.....	S. S. 224-m	-----	157.00	300.00	500	500
Salaries (session laws).....	Ch. 5-37G. A.	1,200.00	-----	1,200.00	-----	1,200
Proofreader.....	Ch. 5-37G. A.	-----	400.00	-----	-----	-----
Proofreader.....	Ch. 5-37G. A.	-----	310.00	-----	-----	-----
Total.....		\$ 18,400.00	\$ 7,667.00	\$ 7,200.00	\$ 11,000	\$ 12,200

## VETERINARY SURGEON.

Items For Which Money is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1918	Expended in fiscal year 1917-18	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-21
State Veterinarian.....	S. 2538	\$ 3,600.00	\$ 1,800.00	\$ 1,800.00	\$ 3,600	\$ 3,600
Deputy .....	S. 2538				3,000	3,000
Secretary .....	S. 2538	2,400.00	1,200.00	1,200.00	1,200	1,200
Clerks .....	S. 2538	1,800.00	900.00	900.00	900	900
Clerks .....	S. 2538				900	900
Assistants and expense.....	S. 2538	22,000.00	8,432.12	13,567.88	100,000	100,000
Total .....		\$ 29,800.00	\$ 12,332.12	\$ 17,467.88	\$ 109,600	\$ 109,600

## COMMISSION OF ANIMAL HEALTH.

State veterinarian, salary....	S. 2538-U					
Two comm'rs, salary.....	S. 2538-U		\$ 400.00			
Two comm'rs, salary.....	S. 2538-U		200.00			
*Clerk and expense.....	S. 2538-U		1,400.41			
Total .....			\$ 2,000.41			

\*This item included clerk hire amounting to \$700.00 and back salary due commissioners for fiscal year ending with June 30, 1917, amounting to \$150.00. balance \$556.00 represents amount expended for miscellaneous and traveling expense of commissioners.

There is no appropriation made to sustain the Commission of Animal Health, salaries and expense of commissioners is borne by funds received for veterinary examination fees and annual renewal fees on veterinary practice certificates.

## STATE HIGHWAY COMMISSION.

Items For Which Money is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-18	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-21
Comm'n, salaries and exp.	S. S. 1571-m32		2,127.27		2,800	2,800
Comm'n, salaries and exp.	Ch. 249-37G. A.		584.50		400	400
Administrative Dept.	S. S. 1571-m32		13,417.65		15,000	15,000
Administrative Dept.	Ch. 249-37G. A.		1,035.51		2,500	2,500
Road Dept.	S. S. 1571-m32		16,444.66		25,000	25,000
Road Dept.	Ch. 249-37G. A.		17,042.87		45,000	45,000
Bridge Dept.	S. S. 1571-m32		19,631.08		30,000	30,000
Bridge Dept.	Ch. 249-37G. A.		552.61		2,000	2,000
T. & E. Dept.	S. S. 1571-m32		2,192.90		3,500	3,500
T. & E. Dept.	Ch. 249-37G. A.		108.27		1,500	1,500
Drainage Dept.	S. S. 1571-m32		2,785.11		6,000	6,000
Engineer, Dist. No. 1.	S. S. 1571-m32		2,573.04		2,700	2,700
Engineer, Dist. No. 1.	Ch. 249-37G. A.		491.74		500	500
Engineer, Dist. No. 2.	S. S. 1571-m32		2,891.31		3,100	3,100
Engineer, Dist. No. 2.	Ch. 249-37G. A.		406.03		500	500
Engineer, Dist. No. 3.	S. S. 1571-m32		2,625.06		2,800	2,800
Engineer, Dist. No. 3.	Ch. 249-37G. A.		280.92		500	500
Engineer, Dist. No. 4.	S. S. 1571-m32		2,959.71		3,400	3,400
Engineer, Dist. No. 4.	Ch. 249-37G. A.		484.12		400	400
Engineer, Dist. No. 5.	S. S. 1571-m32		2,705.99		3,200	3,200
Engineer, Dist. No. 5.	Ch. 249-37G. A.		427.00		400	400
Engineer, Dist. No. 6.	S. S. 1571-m32		731.45		2,700	2,700
Engineer, Dist. No. 6.	Ch. 249-37G. A.		124.07		400	400
Freight and drayage	S. S. 1571-m32		167.94		200	200
Express	S. S. 1571-m32		227.46		250	250
Telephone	S. S. 1571-m32		630.02		800	800
Telegraph	S. S. 1571-m32		177.37		200	200
Postage	S. S. 1571-m32		2,563.16		3,000	3,000
Photos, slides and cuts.	S. S. 1571-m32		876.53		900	900
Bulleting and specifications.	S. S. 1571-m32		3,044.06		3,300	3,300
Bulleting and specifications.	Ch. 249-37G. A.		139.25			
Blanks	S. S. 1571-m32		1,208.56		1,600	1,600
Blanks	Ch. 249-37G. A.		176.12			
Stationery and office supp.	S. S. 1571-m32		1,829.36		2,200	2,200
Stationery and office supp.	Ch. 249-37G. A.		168.75			
Equip. & Supp. Road Dept.	S. S. 1571-m32		3,303.18		4,500	1,500
Equip. & Supp. Road Dept.	Ch. 249-37G. A.		248.95			
Equip. & Supp. Drftg. Dept.	S. S. 1571-m32		1,508.43		3,000	2,000
Equip. & Supp. T. & E. Dept.	S. S. 1571-m32		32.00		100	100
Equip. & Supp. Drainage Dept.	S. S. 1571-m32		16.93		100	100
Furniture and fixtures	S. S. 1571-m32		1,408.63		1,000	500
State fair exhibit expense.	S. S. 1571-m32		150.00		150	150
Maps	S. S. 1571-m32		2,155.46		3,000	1,500
Motor Vehic. Transport'n:						
No. 1 car and equipment.	S. S. 1571-m32		461.10			
Repair	S. S. 1571-m32		65.35			
Supplies	S. S. 1571-m32		282.89			
No. 2 car and equipment.	S. S. 1571-m32		563.85			
Repair	S. S. 1571-m32		10.10			
Supplies	S. S. 1571-m32		89.71			
Equipment and supplies, Federal Aid work	Ch. 249-37G. A.				4,000	4,000
Progressive military maps.	S. S. 1571-m32				8,000	
Total	S. S. 1571-m32		\$ 91,133.98		\$ 124,500	\$118,500
Total	Ch. 249-37G. A.		22,354.51		66,100	58,100
Grand total			\$113,488.49		\$ 190,600	\$176,600



## OTHER GENERAL ACCOUNTS.

Items For Which Money is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-18	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-21
Agricultural societies	S. 1661-a		\$ 54,817.24		\$ 60,000	\$ 60,000
Board of Accountancy	S. S. 2520-b		49.19		200	200
Board of Dental Exam'rs.	S. 2600-g		2,152.83	\$ 2,000.00	2,000	2,000
Department G. A. R.	Ch. 178-30G. A.	\$ 1,500.00	749.06	750.00	750	750
Farmer institutes	S. 1675		4,407.01		7,500	7,500
Historical society	Ch. 327-35G. A.	48,000.00	24,000.00	24,000.00	24,000	24,000
Permanent school fund	Ch. 292-37G. A.	1,512.46	739.09	467.75	800	800
Reward for escaped pris'rs.	C. 5681		1,290.00		700	700
State entomologist	S. 2375-a52	4,000.00	4,000.12	3,980.00	4,000	4,000
Treatment of indig. child.	S. S. 254-g		102,003.00		100,000	100,000
Insane, escaped and non- resident	Ch. 183-35G. A.		1,748.00		2,000	2,000
Inebriate escaped			399.15		100	100
Costs in state cases			3,049.78		2,000	2,000
Survey of lake bed			7,153.17		12,000	12,000
Motor license exp. fund	S. Ch. 2-B		44,214.00	128,275.51	100,000	100,000
Horticultural society	S. 1672	8,000.00	4,000.00	4,000.00	4,000	4,000
For war purposes	Ch. 297-37G. A.	660,000.00	288,477.27	661,522.73		
Secret service of state	Ch. 256-37G. A.	50,000.00	23,652.94	20,347.06		
Census of resources	Ch. 293-37G. A.	15,000.00	9,378.28	5,621.72		
Investigation of valuation of common carrier	Ch. 284-37G. A.	40,000.00	1,733.70	58,346.30		
Celeb'n Siege of Vicksburg	Ch. 129-37G. A.	40,000.00	34,016.15	15,983.85		
Ret. and Ref. Committee	Ch. 294-37G. A.	20,000.00	1,064.79	10,000.00		
<b>Total</b>		<b>\$1,177,812.46</b>	<b>\$613,025.67</b>	<b>\$621,106.02</b>	<b>\$ 320,000</b>	<b>\$320,000</b>

## STATE COLLEGE.

Items For Which Money is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-18	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-21
Support .....	Ch. 305-36G. A. Ch. 281-37G. A.	\$1,010,000.00 196,000.00	\$600,000.00 98,000.00	\$605,000.00 98,000.00	\$ 703,000	\$708,000
Two-year and four-year courses in home econom.	Ch. 305-36G. A.	40,000.00	20,000.00	20,000.00	20,000	20,000
Sub-collegiate courses in agri., home econom. and engineering .....	Ch. 305-36G. A. Ch. 281-37G. A.	108,000.00 6,000.00	54,000.00 3,000.00	54,000.00 3,000.00	69,000	69,000
Repairs and minor imp'ts	Ch. 305-36G. A. Ch. 281-37G. A.	92,000.00 8,000.00	46,000.00 4,000.00	46,000.00 4,000.00	50,000	50,000
Library, books and per'ls	Ch. 305-36G. A. Ch. 281-37G. A.	10,000.00 20,000.00	5,000.00 10,000.00	5,000.00 10,000.00	25,000	25,000
Maintenance and Impr't of public grounds.....	Ch. 305-36G. A. Ch. 281-37G. A.	20,000.00 10,000.00	10,000.00 5,000.00	10,000.00 5,000.00	15,000	15,000
Agricultural Exp. Station, including soil surveys....	Ch. 305-36G. A. Ch. 281-37G. A.	231,000.00 100,000.00	115,500.00 50,000.00	115,500.00 50,000.00	190,500	190,500
Agricultural and home econo- mics extension work....	Ch. 305-36G. A.	180,000.00	90,000.00	90,000.00	110,000	110,000
Trade school and engineer- ing extension .....	Ch. 305-36G. A.	50,000.00	25,000.00	25,000.00	25,000	25,000
Engineering Exp. Station	Ch. 305-36G. A.	20,000.00	15,000.00	15,000.00	25,000	25,000
Good road experimenta'n.	Ch. 305-36G. A.	20,000.00	10,000.00	10,000.00	15,000	15,000
State apiarist .....	Ch. 289-37G. A.	3,000.00	1,500.00	1,500.00	1,500	1,500
Veterinary investigation....	Ch. 305-36G. A.	25,000.00	12,500.00	12,500.00	12,500	12,500
Veter'y pract'ners course....	Ch. 305-36G. A.	5,000.00	2,500.00	2,500.00	2,500	2,500
Summer session .....	Ch. 305-36G. A.	40,000.00	20,000.00	20,000.00	25,000	25,000
Winter short courses in agri., home econom. and trade school work .....	Ch. 281-37G. A. Ch. 305-36G. A.	10,000.00 19,000.00	5,000.00 9,500.00	5,000.00 9,500.00	9,500	9,500
Ext. of heat'g system and equipm't of heat'g plant	Ch. 281-37G. A.	25,000.00	-----	25,000.00	13,000	13,000
Enlargem't of bldgs. and small add'l buildings....	Ch. 281-37G. A.	15,000.00	1,100.00	13,900.00	15,000	15,000
Add'l equipm't and furn'gs for bldgs. and depts....	Ch. 281-37G. A.	175,000.00	32,000.00	143,000.00	50,000	50,000
Building fund .....	Ch. 288-37G. A.	50,000.00	-----	50,000.00	-----	-----
Sewer construction .....	Ch. 281-37G. A.	20,000.00	12,900.00	17,100.00	5,000	-----
Rep'r's and imp'ts of stock barns, judging pavilions and fences .....	Ch. 281-37G. A.	5,000.00	1,900.00	3,100.00	7,500	7,500
Animal husbandry farm....	Ch. 281-37G. A.	75,000.00	-----	75,000.00	-----	-----
Purchase of Patten prop'y	Ch. 281-37G. A.	10,000.00	10,000.00	-----	-----	-----
Armory .....	Ch. 281-37G. A.	125,000.00	-----	125,000.00	-----	-----
Soldier tuition .....	-----	-----	-----	-----	40,000	40,000
<b>Total .....</b>	-----	<b>\$2,743,000.00</b>	<b>1,174,400.00</b>	<b>1,568,600.00</b>	<b>1,429,000</b>	<b>1,424,000</b>

## STATE UNIVERSITY.

Items For Which Money is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-18	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-21
Support	Ch. 305-36G. A.	\$ 909,400.00	\$ 454,700	\$ 454,700	\$ 619,700	\$ 619,700
Coll. of lib'l arts, appl'd science, law, pharmacy and medicine	Ch. 305-36G. A.	135,700.00				
Coll. of lib'l arts, appl'd science, law, pharmacy and medicine	Ch. 281-37G. A.	200,000.00	168,350	168,350	68,350	68,350
College of medicine					50,000	50,000
College of education	Ch. 305-36G. A.	40,000.00				
College of education	Ch. 281-37G. A.	20,000.00	30,000	30,000	30,000	30,000
College of dentistry	Ch. 305-36G. A.	47,450.00				
College of dentistry	Ch. 281-37G. A.	20,000.00	33,725	33,725	33,725	33,725
College of fine arts	Ch. 305-36G. A.	6,000.00				
College of fine arts	Ch. 281-37G. A.	10,000.00	8,000	8,000	8,000	8,000
Graduate college	Ch. 305-36G. A.	18,000.00				
Graduate college	Ch. 281-37G. A.	40,000.00	29,000	29,000	29,000	29,000
Summer school	Ch. 305-36G. A.	22,000.00				
Summer school	Ch. 281-37G. A.	8,000.00	20,000	20,000	45,000	45,000
Administration	Ch. 305-36G. A.	12,450.00				
Administration	Ch. 281-37G. A.	16,000.00	14,225	14,225	14,225	14,225
Dept. of bldg. and gr'nds	Ch. 305-36G. A.	24,000.00				
Dept. of bldg. and gr'nds	Ch. 281-37G. A.	17,000.00	30,500	20,500	27,500	27,500
School of commerce	Ch. 282-37G. A.	50,000.00	25,000	25,000	25,000	25,000
Child welfare	Ch. 281-37G. A.	50,000.00	25,000	25,000		
Library	Ch. 305-36G. A.	35,000.00				
Library	Ch. 281-37G. A.	25,000.00	30,000	30,000	30,000	30,000
Equipment and supplies	Ch. 305-36G. A.	25,000.00				
Equipment and supplies	Ch. 281-37G. A.	7,000.00	15,000	15,000	19,500	19,500
Repair and contingent	Ch. 305-36G. A.	70,000.00				
Repair and contingent	Ch. 281-37G. A.	17,000.00	43,500	43,500	48,000	48,000
University extension	Ch. 305-36G. A.	34,000.00				
University extension	Ch. 281-37G. A.	10,000.00	22,000	22,000	47,000	47,000
Epidemiology laboratory	Ch. 305-36G. A.	10,000.00				
Nurses training and public health nursing			5,000	5,000	15,000	15,000
Soldier tuition					20,000	20,000
Equipm't of bldgs. and bldgs. partially equip'd.					40,000	40,000
Paving and sidewalks	Ch. 281-37G. A.	150,000.00	150,000		62,500	62,500
Purchase of lands	Ch. 281-37G. A.	30,000.00	10,000	10,000	7,500	7,500
Children's hospital	Ch. 214-37G. A.	100,000.00	50,000	50,000		
Building	Ch. 288-37G. A.	150,000.00	150,000			
Building	Ch. 288-37G. A.	50,000.00	50,000			
Armory	Ch. 261-37G. A.	125,000.00	125,000			
Old capitol	Ch. 259-37G. A.	50,000.00	50,000			
<b>Total</b>		<b>\$2,535,000.00</b>	<b>\$1,530,000</b>	<b>\$1,065,000</b>	<b>\$1,240,000</b>	<b>\$1,240,000</b>

## STATE TEACHERS COLLEGE.

Items For Which Money is Used	Citation of authority	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-18	Available fiscal year 1918-19	Department Estimates for Next Biennium	
					Fiscal year 1919-20	Fiscal year 1920-21
Teachers fund .....	Ch. 305-36G. A.	\$279,000.00				
Teachers fund .....	Ch. 281-37G. A.	80,000.00	\$ 171,000	\$ 188,000	\$ 189,500	\$ 189,500
Summer term fund.....	Ch. 305-36G. A.	80,000.00				
Summer term fund.....	Ch. 281-37G. A.	4,000.00	42,000	42,000	44,000	44,000
Contingent and repair.....	Ch. 305-36G. A.	140,000.00				
Contingent and repair.....	Ch. 281-37G. A.	79,000.00	109,500	109,500	119,500	119,500
Library fund .....	Ch. 305-36G. A.	10,000.00				
Library fund .....	Ch. 281-37G. A.	2,000.00	6,000	6,000	10,000	10,000
Librarian's salary fund.....	Ch. 305-36G. A.	17,000.00				
Librarian's salary fund.....	Ch. 281-37G. A.	2,000.00	9,500	9,500	11,500	11,500
Hospital fund .....	Ch. 305-36G. A.	4,500.00				
Hospital fund .....	Ch. 281-37G. A.	2,000.00	3,250	3,250	5,250	5,250
Extension service fund.....	Ch. 305-36G. A.	39,500.00				
Extension service fund.....	Ch. 281-37G. A.	20,000.00	29,750	29,750	39,750	39,750
Extension summer school.....	Ch. 281-37G. A.	20,000.00	10,000	10,000	20,000	20,000
Dormitory furniture fund.....	Ch. 281-37G. A.	25,000.00	14,000	11,000		
Imp't and equip'm't of gym.....	Ch. 281-37G. A.	1,000.00		1,000		
Equip't vocational building.....	Ch. 281-37G. A.	10,000.00	8,000	2,000		
Equip't for training school building .....	Ch. 281-37G. A.	4,700.00	32	4,808		
<b>Total</b> .....		<b>\$819,700.00</b>	<b>\$ 403,082</b>	<b>\$ 416,068</b>	<b>\$ 439,500</b>	<b>\$ 439,500</b>

## COLLEGE FOR THE BLIND.

Support .....	Ch. 305-36G. A.	\$ 80,000.00	\$ 40,000.00	\$ 40,000.00	\$ 51,000	51,000
	Ch. 281-37G. A.	10,000.00	5,000.00	5,000.00		
Repair and contingent fund.....	Ch. 305-36G. A.	3,000.00	1,015.29	2,482.85		
	Ch. 281-37G. A.	1,000.00		1,000.00	2,500	2,500
Oculist fund .....	Ch. 305-36G. A.	200.00	100.00	100.00	100	100
Industrial building .....	Ch. 281-37G. A.	29,000.00	17,425.66	2,574.34		
Laundry equipment .....	Ch. 281-37G. A.	3,000.00		3,000.00		
Music, books, appar's, etc.....	Ch. 281-37G. A.	500.00		500.00		
Piano and furniture.....					5,000	
Sundry improvements .....					5,500	
<b>Total</b> .....		<b>\$117,700.00</b>	<b>\$ 62,540.95</b>	<b>\$ 54,657.19</b>	<b>\$ 64,100</b>	<b>\$ 53,600</b>

## SCHOOL FOR THE DEAF.

Support fund .....	Ch. 266-37G. A.	\$118,800.00	\$ 59,400	\$ 59,400	\$ 79,200	\$ 79,200
Contingent and repair fund.....	Ch. 271-37G. R.	8,000.00	4,000	4,000	7,500	7,500
Reservoir for stor. of water.....	Ch. 271-37G. A.	2,500.00	1,250	1,250	1,500	
Physical equipm't and play- ground apparatus.....	Ch. 271-37G. A.	500.00	250	250		
Build'g add'n to coal bins.....	Ch. 271-37G. A.	2,000.00	1,000	1,000	2,000	
Library and book building.....	Ch. 271-37G. A.	500.00	250	250	500	
Improvem't of main build'g.....					5,000	
Scholarships for college.....					500	500
Equipment .....					1,000	1,000
Improvement of green house.....					2,500	
<b>Total</b> .....		<b>\$132,300.00</b>	<b>\$ 66,150</b>	<b>\$ 66,150</b>	<b>\$ 90,700</b>	<b>\$ 88,200</b>

## INSTITUTIONS UNDER BOARD OF CONTROL.

	Estimated amount of per capita allowance, special appropriations and receipts July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-1918	Estimated amount available for fiscal year 1918-1919	Department next biennium	
				Fiscal year 1919-1920	Estimates for 1920-1921
Anamosa.....	\$ 402,030.00	\$ 226,099.89	\$ 170,830.11	\$ 428,050.00	\$ 278,050.00
Cherokee.....	558,500.00	254,738.95	303,741.05	308,250.00	346,250.00
Clarinda.....	542,000.00	260,365.68	281,694.32	307,900.00	367,800.00
Davenport.....	233,900.00	121,597.19	112,302.81	145,000.00	145,650.00
Eldora.....	256,200.00	133,611.77	122,588.23	154,500.00	154,500.00
Fort Madison.....	469,000.00	306,468.79	162,531.21	342,500.00	267,526.00
Glenwood.....	508,000.00	315,678.33	292,321.67	353,700.00	353,700.00
Independence.....	581,000.00	293,338.16	317,661.84	346,000.00	346,000.00
Knoxville.....	122,500.00	40,823.92	81,676.08	65,150.00	65,150.00
Marshalltown.....	430,500.00	306,808.24	183,691.76	274,450.00	274,450.00
Mitchellville.....	127,200.00	73,713.17	53,486.83	80,650.00	80,650.00
Mt. Pleasant.....	571,650.00	341,400.22	230,249.78	360,750.00	360,250.00
Oakdale.....	291,350.00	135,501.87	155,788.13	136,850.00	122,850.00
Rockwell City.....	201,800.00	81,315.20	120,484.74	58,750.00	58,750.00
Woodward.....	412,800.00	183,241.20	230,558.80	108,125.00	108,125.00
Special appropriation.....	50,000.00	29,887.22	30,112.78	50,000.00	50,000.00
Total.....	\$5,910,330.00	\$3,074,699.86	\$2,835,630.14	\$3,621,201.00	\$3,383,701.00

Total askings, 1919 to 1921, \$7,004,902.00.

\*Of this total the Executive Council permitted the Board of Control to incur indebtedness for items of support in excess of the per capita allowance amounting to \$219,800.00.

## SUMMARY OF DEPARTMENTS.

	Appropriation July 1, 1917, to June 30, 1919	Expended in fiscal year 1917-1918	Available fiscal year 1918-1919	Department estimates for next biennium	
				Fiscal year 1919-1920	Fiscal year 1920-1921
Adjutant General	\$ 11,400.00	\$ 5,300.00	\$ 5,700.00	\$ 7,800.00	\$ 7,800.00
Attorney General	107,000.00	96,182.91	63,500.00	113,600.00	113,600.00
Auditor of State	30,640.00	30,135.00	18,300.00	51,000.00	51,000.00
Banking Department		32,360.00	7,000.00	79,900.00	79,900.00
Board of Control	107,000.00	78,473.55	63,631.57	80,820.00	80,820.00
Board of Health	57,800.00	32,236.58	28,900.00	51,100.00	51,100.00
Board of Parole	20,000.00	21,600.00	2,000.00	27,000.00	27,000.00
Bureau of Labor	20,000.00	17,600.00	14,650.00	24,900.00	26,400.00
Clerk of Supreme Court	33,000.00	17,019.75	7,450.25	59,000.00	59,000.00
Commissioner of Insurance	33,000.00	32,433.41	27,580.00	59,000.00	59,000.00
Dustabrida	81,000.00	40,434.61	47,400.00	54,200.00	54,200.00
Department of Agriculture	28,800.00	28,238.27	7,400.00	54,000.00	54,000.00
Dairy and Food Commission	132,800.00	78,000.00	71,200.00	105,000.00	110,000.00
Daily and Beer Industry	13,000.00	9,770.10	2,500.00	12,500.00	12,500.00
District Court	488,200.00	292,010.80	262,629.84	259,000.00	262,000.00
Document Department	10,200.00	6,100.00	5,100.00	8,000.00	8,000.00
Executive Council General Exp.	28,100.00	16,128.57	11,000.00	25,900.00	25,900.00
Executive Council General Exp.	350,000.00	132,370.46	212,579.29	210,800.00	210,800.00
General Assembly, 89th					
Governor	32,500.00	56,634.44	18,333.78	38,350.00	38,350.00
Historical Department	57,100.00	27,835.92	29,017.80	66,976.00	66,976.00
Hotel Inspection		7,472.67	7,000.00	17,500.00	17,500.00
Industrial Commission	40,000.00	14,867.22	20,000.00	17,200.00	17,200.00
Iowa Geological Survey	18,000.00	8,077.12	9,823.88	9,000.00	9,000.00
Iowa Library Commission	30,000.00	14,864.24	12,000.00	16,620.00	16,620.00
Iowa National Guard	150,000.00	89,812.24	265,000.00	265,000.00	265,000.00
Iowa Weather and Crop Service	5,700.00	2,605.00	3,000.00	3,700.00	3,700.00
Mine Inspection	18,300.00	9,150.00	9,150.00	13,800.00	13,800.00
Missing Heard		2,359.29	32,000.00	3,000.00	3,000.00
Oil Inspection	64,000.00	32,452.85	32,000.00	38,000.00	38,000.00
Pharmacy Commission	13,400.00	8,918.61	6,714.90	9,400.00	9,400.00
Pension and Relief	1,000.00	12,008.00	2,050.00	10,800.00	10,800.00
Printing Department		58,741.25		80,000.00	80,000.00
Railroad Commission and Commerce Council	151,100.00	64,010.41	67,069.59	80,500.00	80,500.00
Secretary of State	42,800.00	19,880.79	21,280.00	24,004.00	24,004.00
Motor Vehicle Department	30,700.00	19,850.00	19,850.00	35,880.00	35,880.00
State Board of Education	21,500.00	23,739.40	10,802.60	30,750.00	30,750.00
State Board Vocational Education	5,000.00	1,130.67	2,407.91	8,500.00	8,500.00
State Library	27,440.00	28,730.00	28,730.00	36,700.00	36,700.00
State Fire Marshal	27,400.00	13,949.97	13,725.00	17,250.00	17,250.00
State Treasurer	64,200.72	32,104.86	13,700.00	49,750.00	49,750.00
Supl. Public Instruction	490,000.00	294,883.80	295,849.00	345,550.00	345,550.00
Supreme Court	100,800.00	53,241.00	54,900.00	55,200.00	55,200.00
Supreme Court Reporter	18,400.00	7,067.00	9,200.00	11,000.00	12,200.00
Veterinary Surgeon	29,800.00	12,332.12	17,467.88	109,600.00	109,600.00
Commission of Animal Health		4,012.82			
State Highway Commission	113,488.49	113,488.49	921,192.02	190,600.00	176,000.00
Other General Accounts	1,177,812.46	613,025.67	1,008,600.00	1,429,000.00	1,429,000.00
State College of Agriculture	2,743,000.00	1,174,400.00	1,230,000.00	1,240,000.00	1,240,000.00
State University	2,533,000.00	1,230,000.00	1,005,000.00	1,240,000.00	1,240,000.00
State Teachers College	819,700.00	403,032.00	416,008.00	439,500.00	439,500.00
College for the Blind	117,700.00	63,540.96	54,657.19	64,100.00	64,500.00
School for the Deaf	122,500.00	66,150.00	60,150.00	90,700.00	88,200.00
Institutions under Board of Control	5,910,330.00	3,074,690.86	2,885,630.14	3,621,201.00	3,382,701.00
Total	\$16,853,342.18	\$ 8,763,663.06	\$ 8,698,454.74	\$10,036,740.00	\$ 9,944,129.00

## BOARD OF CONTROL ASKINGS ITEMIZED.

New appropriations asked for by the Board of Control of State Institutions and included in their estimates for said institutions in the regular budget.

<b>ANAMOSA</b>	
Contingent and repair.....	\$ 20,000.00
For purchase of farm land and industries.....	150,000.00
Transportation of prisoners.....	3,500.00
Dentist, oculist and aurist and needed supplies.....	1,500.00
Lectures and amusements—books and periodicals.....	700.00
Total special appropriations asked.....	\$ 175,700.00
Estimated cost of maintenance.....	530,400.00
Total requirements for next biennium.....	\$ 706,100.00
<b>CHEROKEE</b>	
Contingent and repair.....	\$ 40,000.00
New boilers and stokers.....	12,900.00
Total special appropriations asked.....	\$ 52,000.00
Estimated cost of maintenance.....	652,500.00
Total requirements for next biennium.....	\$ 704,500.00
<b>CLARINDA</b>	
Contingent and repair.....	\$ 35,000.00
Estimated cost of maintenance.....	700,600.00
Total requirements for next biennium.....	\$ 735,600.00
<b>DAVENPORT</b>	
Contingent and repair.....	\$ 20,000.00
Chaplain, lectures and amusements, books and periodicals.....	800.00
Transportation of children.....	2,500.00
Dentist, oculist, aurist and supplies.....	1,800.00
Total special appropriations asked.....	\$ 25,100.00
Estimated cost of maintenance.....	266,200.00
Total requirements for next biennium.....	\$ 291,300.00
<b>ELDORA</b>	
Contingent and repair.....	\$ 25,000.00
Transportation for boys.....	1,200.00
Chaplain fund, lectures and amusements.....	800.00
Dentist, oculist and aurist and needed supplies.....	2,000.00
Total special appropriations asked.....	\$ 29,000.00
Estimated cost of maintenance.....	280,000.00
Total requirements for next biennium.....	\$ 309,000.00
<b>FORT MADISON</b>	
Contingent and repair.....	\$ 20,000.00
Farm land and industries.....	75,000.00
Transportation of prisoners.....	3,000.00
Dentist, oculist and aurist and necessary supplies.....	1,500.00
Lectures and amusements.....	600.00
Total special appropriations asked.....	\$ 100,100.00
Estimated cost of maintenance.....	509,952.00
Total requirements for next biennium.....	\$ 610,052.00
<b>GLENWOOD</b>	
Contingent and repair.....	\$ 35,000.00
Estimated cost of maintenance.....	672,400.00
Total requirements for next biennium.....	\$ 707,400.00

INDEPENDENCE	
Contingent and repair.....	\$ 40,000.00
Estimated cost of maintenance.....	652,000.00
Total requirements for next biennium.....	\$ 692,000.00
*KNOXVILLE	
Contingent and repair.....	\$ 2,500.00
Chaplain, lectures and amusements.....	300.00
Total special appropriations asked.....	\$ 2,800.00
*Conditional.....	22,000.00
Estimated cost of maintenance.....	105,500.00
Total requirements for next biennium.....	\$ 130,300.00
MARSHALLTOWN	
Contingent and repair.....	\$ 25,000.00
Lectures and amusements, books and periodicals.....	700.00
Total special appropriations asked.....	\$ 25,700.00
Estimated cost of maintenance.....	528,500.00
Total requirements for next biennium.....	\$ 554,200.00
MITCHELLVILLE	
Contingent and repair.....	\$ 20,000.00
Additional for new laundry and equipment.....	5,000.00
Transportation of girls.....	600.00
Chaplain fund, lectures and amusements.....	500.00
Dentist, oculist, aurist and necessary supplies.....	1,200.00
Total special appropriations asked.....	\$ 27,300.00
Estimated cost of maintenance.....	134,000.00
Total requirements for next biennium.....	\$ 161,300.00
MT. PLEASANT	
Contingent and repair.....	\$ 50,000.00
Books and periodicals.....	500.00
Total special appropriations asked.....	\$ 50,500.00
Estimated cost of maintenance.....	670,500.00
Total requirements for next biennium.....	\$ 721,000.00
OAKDALE	
Contingent and repair.....	\$ 15,000.00
Chaplain, lectures, amusements, books and periodicals.....	700.00
Total special appropriations asked.....	\$ 15,700.00
Estimated cost of maintenance.....	238,000.00
Total requirements for next biennium.....	\$ 253,700.00
ROCKWELL CITY	
Contingent and repair.....	\$ 7,000.00
Additional to finish Pathological Building.....	5,000.00
Additional to install sewage disposal plant.....	5,000.00
Lectures, amusements, books and periodicals.....	500.00
Total special appropriations asked.....	\$ 17,500.00
Estimated cost of maintenance.....	100,000.00
Total requirements for next biennium.....	\$ 117,500.00

\*Note.—If the Knoxville institution is changed to house feeble-minded, add for needed kitchen and dining room addition to cottage No. 2, \$17,000.00, and for general alterations and contingent, improvements and alterations, \$6,000.00.



WOODWARD	
Contingent and repair.....	\$ 15,000.00
Additional for hog house.....	2,250.00
Additional for water supply.....	7,000.00
Total special appropriations asked.....	\$ 24,250.00
Estimated cost of maintenance.....	192,000.00
Total requirements for next biennium.....	\$ 216,250.00
General emergency appropriation for all institutions.....	\$ 100,000.00
Total maintenance appropriations, per capita allowance.....	\$ 6,227,252.00
Total special appropriations.....	777,650.00
Grand total.....	\$ 7,004,902.00

## BOARD OF CONTROL CONSOLIDATED.

	Special appropria- tions July 1, 1917, to June 30, 1919	Special appropria- tions asked for next biennium	Support appropria- tions July 1, 1917, to June 30, 1919	Support appropria- tions required for next biennium	Increase
Anamosa.....	\$ 22,500.00	\$ 175,700.00	\$ 280,000.00	\$ 530,400.00	\$ 150,400.00
Cherokee.....	99,500.00	52,000.00	468,000.00	652,500.00	184,500.00
Clarinda.....	72,000.00	25,000.00	470,000.00	700,600.00	230,600.00
Davenport.....	46,900.00	15,100.00	187,000.00	296,300.00	79,200.00
Eldora.....	61,200.00	29,000.00	195,000.00	280,000.00	85,000.00
Fort Madison.....	119,000.00	100,100.00	350,000.00	509,902.00	159,902.00
Glenwood.....	68,000.00	25,000.00	530,000.00	672,400.00	142,400.00
Independence.....	121,000.00	40,000.00	400,000.00	632,000.00	192,000.00
Knoxville.....	17,000.00	24,800.00	105,500.00	105,500.00	-----
Marshalltown.....	110,000.00	15,700.00	380,500.00	525,200.00	142,700.00
Mitchellville.....	22,200.00	25,300.00	105,000.00	134,000.00	29,000.00
Mt. Pleasant.....	116,650.00	50,500.00	455,000.00	670,500.00	215,500.00
Oakdale.....	76,350.00	15,700.00	215,000.00	238,000.00	25,000.00
Rockwell City.....	151,800.00	17,500.00	50,000.00	100,000.00	50,000.00
Woodward.....	248,800.00	24,250.00	168,000.00	192,000.00	24,000.00
General appropriation.....	50,000.00	100,000.00	-----	-----	-----
Total.....	\$1,301,330.00	\$ 777,650.00	\$4,519,000.00	\$6,227,252.00	\$1,708,252.00
Total special appropria- tions asked.....	-----	-----	-----	777,650.00	-----
Grand total.....	-----	-----	-----	\$7,004,902.00	-----
Estimated increase in cost of support of institutions.....	-----	-----	-----	-----	\$1,708,252.00
Decrease in special appropriations asked.....	-----	-----	-----	-----	613,680.00
Net increase in askings.....	-----	-----	-----	-----	\$1,094,572.00

## COMMUNICATION FROM THE GOVERNOR.

The following communication was received from the governor:

At this time and in the presence of this Joint Assembly of the membership of the Senate and the House of the Thirty-eighth General Assembly, I herewith transmit to you for such action as you may deem proper, a certified copy of a resolution of Congress, entitled, "JOINT RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES, AND KNOWN AS SENATE JOINT RESOLUTION NO. 17 OF THE SIXTY-FIFTH CONGRESS OF THE UNITED STATES OF

AMERICA, AT THE SECOND SESSION, BEGUN AND HELD AT THE CITY OF WASHINGTON ON MONDAY, THE THIRD DAY OF DECEMBER, ONE THOUSAND NINE HUNDRED AND SEVENTEEN."

Said resolution is duly authenticated by the great seal of the United States and signed by the Secretary of State, Robert Lansing.

Said certified copy is herewith transmitted to the Lieutenant Governor of the State of Iowa, the Honorable Ernest R. Moore, as the President of the Senate, with the request that this communication and a certified copy of said Resolution be made a part of the proceedings of this Joint Session, the Resolution, after it has been acted upon by the Senate and House in proper and legal form, to be filed in the office of the Secretary of State of the State of Iowa.

W. L. HARDING,  
Governor of Iowa.  
(Filed January 2, 1918,  
W. L. HARDING, Governor.)

No. —.

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 of the United States," the original of which is on file in this department.

In testimony whereof, I, Robert Lansing, 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 twenty-eighth day of December, 1917.

[SEAL]

(Signed) ROBERT LANSING,  
Secretary of State.

By (Signed) BEN G. DAVIS,  
Chief Clerk.

(Filed January 2, 1918,  
W. L. HARDING, Governor.)

S. J. Res. 17.

SIXTY-FIFTH CONGRESS OF THE UNITED STATES OF AMERICA;

At the Second Session,

Begun and held at the City of Washington on Monday, the third day of December, one thousand nine hundred and seventeen.

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 the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:*

"ARTICLE —.

"SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

"SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

CHAMP CLARK,

*Speaker of the House of Representatives.*

THOS. R. MARSHALL,

*Vice President of the United States and  
President of the Senate.*

I certify that this Joint Resolution originated in the Senate.

JAMES M. BAKER,

*Secretary.*

CANVASS OF VOTES.

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. 1918, and announced as teller on the part of the Senate, Senator Anderson of Greene, and as assistant tellers Senators Hale of Jones and White of Benton.

Speaker McFarlane announced as teller on the part of the House, Representative LeValley of Franklin, and as assistant tellers Representatives Moore of Guthrie and O'Donnell of Du-buque.

The president further announced that in accordance with the statute, tellers Senator Anderson of Greene and Representative LeValley of Franklin would constitute the judges of said canvass.

Speaker McFarlane in the chair.

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, 1918.

President Moore in the chair.

Moved by Senator Newberry of Clayton that the joint session now take a recess until Thursday, January 16, 1919, at 2:00 o'clock p. m. Motion prevailed.

#### SENATE RESUMES SESSION.

Senate returned to the senate chamber and resumed its sitting.

Senator Whitmore raised the point of order that a quorum was not present.

The roll was called and showed thirty-five members present as follows:

#### Present—35.

Anderson	Hale	Proudfoot
Ball	Haskell	Rainbow
Brookhart	Holdoegel	Ratcliff
Broxam	Horchem	Schaffter
Byington	Kimball	Shane
Cessna	Kimberly	Stoddard
Coburn	Kingland	Thompson
Edwards	Mitchell	Van Alstine
Evans	Nelson	White
Fellows	Newberry	Whitmore
Foskett	Parker	Wilson
Greenell	Price	

#### Absent—15.

Adams	Fralley	Rule
Arney	LeCompte	Scott
Balkema	Meredith	Smith
Buser	Pitt	Stephenson
Foster	Reed	Taylor

The president declared a quorum present.

#### INTRODUCTION OF JOINT RESOLUTION.

Senator Whitmore introduced the following joint resolution:

#### SENATE JOINT RESOLUTION NO. 1 BY WHITMORE.

JOINT RESOLUTION RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA.

Whereas, Both houses of the sixty-fifth congress of the United States of America, by a constitutional majority of two-thirds thereof, made the fol-

lowing proposition to amend the constitution of the United States of America, in the following words, to-wit:

"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 the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several states as provided by the Constitution:

"ARTICLE —.

"SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

"SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of submission hereof to the States by the Congress."

*Therefore, Be it resolved by the General Assembly of the State of Iowa.*

SECTION 1. That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the General Assembly of the State of Iowa.

SECTION 2. That certified copies of this preamble and joint resolution be forwarded by the Governor of this State to the Secretary of State at Washington, D. C., to the presiding officer of the United States Senate, and to the speaker of the House of Representatives of the United States.

Senator Whitmore offered the following motion:

I move suspension of the rules and that the resolution offered be referred to a special committee of five to be named by the president of the senate, and that the said committee is hereby directed to report said resolution back to the Senate tomorrow morning at 10:30 o'clock, at which time its consideration, upon third reading and adoption is made a special order.

On the question, "Shall the motion prevail?" the vote was:

## Ayes—36.

Anderson	Holdoegel	Ratcliff
Ball	Kimball	Rule
Brookhart	Kimberly	Schaffter
Byington	Kingland	Scott
Cessna	Meredith	Shane
Coburn	Mitchell	Stoddard
Edwards	Nelson	Taylor
Evans	Newberry	Thompson
Fellows	Parker	Van Alstine
Foskett	Price	White
Hale	Proudfoot	Whitmore
Haskell	Rainbow	Wilson

## Nays—None.

## Absent or Not Voting—14.

Adams	Foster	Pitt
Arney	Fralley	Reed
Balkema	Greenell	Smith
Broxam	Horchem	Stephenson
Buser	Le Compte	

So the motion prevailed.

The president appointed as such special committee, Senators Whitmore, Proudfoot, Taylor, Wilson and Horchem.

On motion of Senator Kimball, the Senate adjourned until 10 a. m. tomorrow.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 15, 1919.

Senate met in regular session at 10 a. m., President of the Senate E. R. Moore presiding.

Prayer was offered by Rev. Dilman Smith, chaplain of the Iowa Methodist Hospital, Des Moines.

## MESSAGES FROM THE HOUSE.

Chief Clerk Ramsay presented the following message 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 repeal section 13 of the code relative to the compensation of legislative employees and enacting a substitute therefor.

W. C. RAMSAY, *Chief Clerk.*

## HOUSE MESSAGES CONSIDERED.

House File No. 1, a bill for an act to repeal section thirteen (13) of the code relative to the compensation of officers, clerks and employees of the general assembly.

Read first and second times.

Unanimous consent having been granted for the immediate consideration of the bill, Senator Kimball moved that the rule by which no bill can be read a second and third time the same day be suspended.

On the question, "Shall the rule be suspended?" the vote was:

Ayes—48.

Adams	Byington	Greenell
Anderson	Cessna	Hale
Arney	Coburn	Haskell
Balkema	Edwards	Holdoegel
Ball	Evans	Horchem
Brookhart	Fellows	Kimball
Broxam	Foskett	Kimberly
Buser	Frailey	Kingland

LeCompte	Rainbow	Stephenson
Meredith	Ratcliff	Stoddard
Nelson	Reed	Taylor
Newberry	Rule	Thompson
Parker	Schaffter	Van Alstine
Pitt	Scott	White
Price	Shane	Whitmore
Proudfoot	Smith	Wilson

Nays—None.

Absent or not voting—2.

Foster Mitchell

The motion prevailed.

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 vote was:

Ayes—46.

Adams	Haskell	Reed
Anderson	Holdoegel	Rule
Balkema	Horchem	Schaffter
Ball	Kimball	Scott
Brookhart	Kimberly	Shane
Broxam	Kingland	Smith
Byington	LeCompte	Stephenson
Cessna	Meredith	Stoddard
Coburn	Nelson	Taylor
Edwards	Newberry	Thompson
Evans	Parker	Van Alstine
Fellows	Pitt	White
Foskett	Price	Whitmore
Fralley	Proudfoot	Wilson
Greenell	Rainbow	
Hale	Ratcliff	

Nays—1.

Buser

Absent or not voting—3.

Arney Foster Mitchell

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

The following petitions were presented:



Relative to the ratification of the national prohibitory amendment:

Senator Rule, citizens of Hancock county.

Senator Pitt, citizens of Crawford county.

Senator Byington, citizens of Iowa and Johnson counties.

Senator Whitmore, citizens of Wapello county.

Senator Proudfoot, citizens of Warren county.

Senator Adams, citizens of Dickinson, Emmet, Palo Alto and Kosuth counties.

Senator Schaffter, citizens of Wright and Hardin counties.

Senator Buser, citizens of Muscatine and Louisa counties.

Senator Taylor, citizens of Buchanan and Delaware counties.

Senator Holdoegel, citizens of Calhoun county.

Senator Arney, citizens of Marshall county.

Senator Haskell, citizens of Linn county.

Senator Ball, citizens of Van Buren county.

Senator Rule, citizens of Cerro Gordo county.

Senator Stephenson, citizens of Union county.

Senator Wilson, International Union of United Brewery, Flour, Cereal and Soft Drink Workers.

Senator Parker, citizens of Polk county.

Senator LeCompte, citizens of Wayne county.

Senator Kingland, citizens of Winnebago county

Senator Hale, citizens of Cedar county.

Senator Nelson, citizens of Cass county.

Senator Newberry, citizens of Clayton county.

Relative to compensation of county supervisors:

Senator Stephenson, citizens of Union county.

Senator Buser, citizens of Louisa and Muscatine counties.

Against the establishment of a public utilities commission :

Senator Buser, citizens of Muscatine county.

Senator Holdoegel, citizens of Calhoun county.

Senator Wilson, citizens of Appanoose county.

Relative to fish and game laws :

Senator Ball, citizens of Jefferson county.

Relating to police and fire commissioners :

Senator Holdoegel, citizens of Calhoun county.

All the foregoing petitions relating to the ratification of the prohibitory amendment were referred to a special committee having charge of Senate Joint Resolution No. 1, and the other petitions were placed on file for future reference.

Senator Kimball presented the following concurrent resolution :

*Be It Resolved by the Senate, the House concurring :*

That the following be adopted as a joint rule of both houses of the Thirty-eighth General Assembly :

That whenever any bill or resolution has passed one house and has been reported out favorably by the committee to which it was referred of the other house and is placed upon the calendar, it shall take precedence over its companion or any bill or resolution of the other house placed on the calendar on the same or a later day.

On request of Senator Kimball the resolution was filed for reference to the committee on rules.

#### REPORT OF SPECIAL COMMITTEE.

Senator Whitmore presented the following committee report :

*To the Honorable President of the Senate of the Thirty-eighth General Assembly of Iowa :*

Your special committee to whom was referred joint resolution ratifying a proposed amendment to the constitution of the United States of America, on the subject of national prohibition, beg leave to report that they have had the same under consideration and recommend that the same be amended by the adoption of the following substitute and that when so amended the resolution be adopted.

CHESTER W. WHITMORE,  
*Chairman.*

SUBSTITUTE FOR  
SENATE JOINT RESOLUTION NO. 1

JOINT RESOLUTION RATIFYING A PROPOSED AMENDMENT TO  
THE CONSTITUTION OF THE UNITED STATES OF AMERICA.

*WHEREAS*, Both houses of the sixty-fifth congress of the United States of America, 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:

"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 the following amendment to the Constitution be, and hereby is, proposed to the States, to become valid as a part of the Constitution when ratified by the legislatures of the several States as provided by the Constitution:

"ARTICLE —

"SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

"SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

*THEREFORE, Be It Resolved and Enacted by the General Assembly of the State of Iowa:*

SECTION ONE. 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.

SECTION TWO. *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, D. C. and to the presiding officers of each House of the Congress of the United States.

On motion of Senator Whitmore, the report of the committee was adopted.

The substitute was read the first and second times.

By unanimous consent the bill was read for information.

Senator Frailey presented the following motion:

We, the undersigned senators, move that the consideration of the pending joint resolution be deferred and that said joint resolution be referred to the Thirty-ninth General Assembly of Iowa for action and that there be submitted to the qualified electors of the state at a special election to be held on the 13th day of May, A. D. 1919, the following question:

"ARE YOU IN FAVOR OF RATIFICATION BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA OF THE PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES PROHIBITING THE MANUFACTURE, SALE, OR TRANSPORTATION OF INTOXICATING LIQUORS FOR BEVERAGE PURPOSES?"

That said special election be held under and according to the statutes of Iowa providing for the holding of special elections and the result thereof shall be submitted to the Thirty-ninth General Assembly of the State of Iowa, which said General Assembly shall, after being advised of the result of said special election, vote upon the question of ratifying said amendment to the Constitution of the United States.

J. R. FRAILEY,  
FRANK E. THOMPSON,  
D. W. KIMBERLY,  
A. L. BRONAM,  
W. J. GREENELL,  
B. J. HORCHEM.

Motion lost.

Senator Whitmore raised the point of order that the motion of Senator Frailey was out of order by reason of the fact that the joint resolution of congress and the provisions of the constitution of the United States with reference thereto provide that ratification of the resolution should be by act of the legislatures of the states, while the motion would irregularly and without warrant of law submit the question of ratification to a plebiscite of the people of the state.

The president ruled that the point of order was not well taken, and that the action of the Senate on the motion as presented was the proper method of procedure in this case.

Senator Whitmore asked for a roll call.

On the question, "Shall the motion prevail," the vote was:

Ayes—8:

Broxam	Greenell	Thompson
Evans	Horchem	White
Fralley	Kimberly	

Nays—41:

Adams	Haskell	Ratcliff
Anderson	Holdoegel	Reed
Arney	Kimball	Rule
Balkema	Kingland	Schaffter
Ball	LeCompte	Scott
Brookhart	Meredith	Shane
Buser	Mitchell	Smith
Byington	Nelson	Stephenson
Cessna	Newberry	Stoddard
Coburn	Parker	Taylor
Edwards	Pitt	Van Alstine
Fellows	Price	Whitmore
Foskett	Proudfoot	Wilson
Hale	Rainbow	

Absent or not voting—1:

Foster

The motion was lost.

Senator Whitmore moved that the rule be suspended whereby no bill or joint resolution may be read a second and third time the same day.

On the question, "Shall the rule be suspended?" the vote was:

Ayes—44:

Adams	Haskell	Ratcliff
Anderson	Holdoegel	Reed
Arney	Kimball	Rule
Balkema	Kimberly	Schaffter
Ball	Kingland	Scott
Brookhart	LeCompte	Shane
Buser	Meredith	Smith
Byington	Mitchell	Stephenson
Cessna	Nelson	Stoddard
Coburn	Newberry	Taylor
Edwards	Parker	Van Alstine
Evans	Pitt	White
Fellows	Price	Whitmore
Foskett	Proudfoot	Wilson
Hale	Rainbow	

Nays—1:

Fralley

Absent or not voting—5:

Broxam	Greenell	Thompson
Foster	Horchem	

The motion prevailed.

Senator Whitmore moved that the rules 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 be adopted?" the vote was:

Ayes—42:

Adams	Hale	Rainbow
Anderson	Haskell	Ratcliff
Arney	Holdoegel	Reed
Balkema	Kimball	Rule
Ball	Kingland	Schaffter
Brookhart	LeCompte	Scott
Buser	Meredith	Shane
Byington	Mitchell	Smith
Cessna	Nelson	Stephenson
Coburn	Newberry	Stoddard
Edwards	Parker	Taylor
Evans	Pitt	Van Alstine
Fellows	Price	Whitmore
Foskett	Proudfoot	Wilson

Nays—7:

Broxam	Horchem	White
Fralley	Kimberly	
Greenell	Thompson	

Absent or not voting—1:

Foster

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

#### MOTION TO RECONSIDER.

Senator Whitmore moved that the vote by which the joint resolution was adopted by the Senate be reconsidered and that the motion to reconsider be laid on the table.

On this motion the vote was:

## Ayes—42:

Adams	Hale	Rainbow
Anderson	Haskell	Ratcliff
Arney	Holdoegel	Reed
Balkema	Kimball	Rule
Ball	Kingland	Schaffter
Brookhart	LeCompte	Scott
Buser	Meredith	Shane
Byington	Mitchell	Smith
Cessna	Nelson	Stephenson
Coburn	Newberry	Stoddard
Edwards	Parker	Taylor
Evans	Pitt	White
Fellows	Price	Whitmore
Foskett	Proudfoot	Wilson

## Nays—5:

Broxam	Greenell	Kimberly
Frailey	Horchem	

Absent or not voting—3.

Foster	Thompson	Van Alstine
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The motion prevailed.

Senator Edwards moved that rule 33 be suspended for the day. Motion lost.

## REPORT OF INAUGURAL COMMITTEE.

Des Moines, Iowa, January 15, 1919.

MR. PRESIDENT—Your joint 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 2:00 o'clock p. m. on Thursday, January 16, 1919, Honorable Wallace H. Arney, president pro tem of the Senate, will preside. The following program has been arranged for the afternoon:

Concert, military band from Camp Dodge.

Music by Prof. T. Fred Henry's orchestra.

Calling to order by Wallace H. Arney, president pro tempore of the Senate.

Entrance of the governor and escort.

Invocation, Rev. J. Lewis Gillies, Des Moines, Iowa.

Selection by Chamber of Commerce Quartet "A"—

Otto Jellison, I. M. Treynor, Jack Campbell, Dr. J. T. Gibson; Prof. Smith at piano.

Cornet solo, Prof. T. Fred Henry.

Selection by Chamber of Commerce Quartet "A."

Administration of oath of office to Governor William L. Harding and Lieutenant Governor Ernest R. Moore, elect, by Chief Justice Scott M. Ladd.

Inaugural address by Governor William L. Harding.

Music, T. Fred Henry's orchestra.

We recommend that the north gallery of the House chamber be open to the public, but admission to the floor of the House and south gallery be by ticket.

#### EVENING PROGRAM.

7:30 o'clock.

Reception by the governor at 8:00 p. m. The public will assemble in rotunda of the first floor and be admitted to the reception room through the east door of the governor's suite.

Concert by T. Fred Henry and His Band, T. Fred Henry, conductor and cornet soloist.

1. March, "The Dawn of Peace".....T. Fred Henry
2. Scenes from "Furs and Frills".....Carle
3. Grand Fantasie No. 1.....Tobani
4. Cornet solo, "Originale".....T. Fred Henry
5. Airs from "Going Up," musical comedy.....Hirsch

Intermission.

6. Regular hits from Chicago and New York.....Lampe
7. "By the Swanee River," descriptive.....Mydeleton
8. Airs of the Allles.....Rollinson
9. Valse, "Blue Bird".....Grant
10. March, "Our Country".....Sargent

Dancing program, starting at 9:00 o'clock p. m., to 11:45 p. m. in the basement.

Respectfully submitted,

On the part of the Senate:

ADDISON M. PARKER,  
J. K. HALE,  
O. A. BYINGTON,  
H. C. ADAMS,  
W. J. GREENELL,  
B. M. STODDARD.

On the part of the House:

A. O. HAUGE,  
J. B. WEAVER,  
J. E. BEEMAN,  
J. W. COAKLEY,  
R. F. PRICE,  
L. W. POWERS.



On motion of Senator Parker the report was adopted.

On request of Senator Balkema leave of absence was granted Senator Føster for today and yesterday.

Report of committee on committee clerks.

MR. PRESIDENT—Your committee to whom was referred the matter of examining applicants for clerkships, beg leave to report that they have examined and found proficient the following persons: Lucille Forgey, assigned to Senator Brookhart; Adina Vidstedt, Senator Ratcliffe; Lieut. Clarence H. Churchman, Senator Haskell; Laura Schulze, Senator Byington. We recommend their employment, and move the adoption of this supplemental report.

EUGENE SCHAFFER,  
*Chairman.*

The report was adopted.

Senator Rule presented the following communication:

The chairman of the joint committee on extra help reports that Senators LeCompte, Adams, and Rule were in session of the joint committee on Tuesday, January 14, and were therefore marked absent on the roll call as shown by page 58 of the Senate Journal for Tuesday, January 14, and Senators Adams and LeCompte were still in the meeting at the time of the vote on the motion of Senator Whitmore on page 59 of the Senate Journal of said date.

A. L. RULE,  
*Chairman Joint Committee on Extra Help.*

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

D. W. Riggle.  
Clarence H. Churchman.  
Lucile Forgey.  
Adina Vidstedt.  
Minnie S. Wilder.  
Laura Schulze.

#### CORRECTION OF JOURNAL.

The journal of January 14 was taken up, corrected and approved.

On motion of Senator Rule, Senate adjourned until 10 a. m. Thursday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 16, 1919.

Senate met in regular session, President of the Senate Ernest R. Moore presiding.

Prayer was offered by W. A. Shullenberger, pastor of the Central Church of Christ of Des Moines.

The following petitions were presented relative to the ratification of the national prohibitory amendment: Senator Taylor, citizens of Buchanan and Delaware counties; Senator Pitt, citizens of Crawford county and Senator Foster, citizens of Guthrie county.

Senator Taylor presented a petition from citizens of the city of Dubuque relative to civil service.

Senator Buser presented petition from citizens of Muscatine county relative to establishment of a public utility commission.

## 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 joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution No. 1 ratifying a proposed amendment to the constitution of the United States.

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 appropriation for relief of suffering in Europe.

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 allowing discharged soldiers to retain their clothing.

W. C. RAMSAY, Chief Clerk.

#### LEAVES OF ABSENCE.

On request of Senator Hale, leave of absence was granted Senator Fellows for the day.

On request of Senator Wilson, leave of absence was granted Senator Holdoegel for the day.

On request of Senator Ratcliff, leave of absence was granted Senator Proudfoot for the day.

On request of Senator Parker, leave of absence was granted Senator Kingland for the day.

On request of Senator Schaffter, leave of absence was granted Senators Nelson and Adams for the day.

On request of Senator Greenell, leave of absence was granted Senator Kimberly for the day.

MR. PRESIDENT—I ask unanimous consent to make and have printed in today's Journal:

"I had been duly excused and was absent from the Senate and city yesterday when the vote was taken on the national prohibitory amendment. If I had been present I would have voted for said amendment."

JOHN W. FOSTER.

Unanimous consent was granted.

#### INTRODUCTION OF BILLS.

By Senator Byington, Senate File No. 4, a bill for an act to amend section sixteen hundred forty-one-b (1641-b) of the supplement of the code, 1913, providing for the appraisalment of property for which it is proposed to issue stock of a corporation for pecuniary profit.

Read first and second times and filed for future reference.

By Senator Schaffter, by request, Senate File No. 5, a bill for an act to amend the law as it appears in section five thousand, four hundred and eighty-four (5484) of the code of Iowa, relating to defendants testifying in criminal cases.

Read first and second times and filed for future reference.

By Senator Buser, Senate File No. 6, a bill for an act to legalize certain certificates of incorporation of corporations for pecuniary profit heretofore issued by the secretary of state.

Read first and second times and filed for future reference.

Senator Van Alstine presented the following concurrent resolution:

#### CONCURRENT RESOLUTION.

*Be It Resolved by the General Assembly of the State of Iowa:*

*Whereas*, The world war has been signally won by the allied nations, representing the freedom loving peoples of the world; and,

*Whereas*, Our nation entered that war in defense of our established ideals as to human rights and human liberty, and to promote the establishment of a permanent basis for peace among the nations of the earth; *Now Therefore Be It Resolved by the General Assembly of the State of Iowa:*

That we hereby favor and indorse the establishment of a league of nations to promote international peace and justice, and to establish orderly, judicial and humane methods for the settlement of international differences;

*Be It Further Resolved*, That copies of this resolution be sent to the president, members of his cabinet and to each member of congress from Iowa.

#### REPORT OF COMMITTEE ON EXTRA HELP.

Senator Rule presented the following report:

MR. PRESIDENT—Your committee to whom was referred the employment of additional help for the Thirty-eighth General Assembly, beg leave to report that they have had the subject under consideration with the House committee, and the joint committee of the Senate and House, join in the introduction of a concurrent resolution covering their recommendations, and recommend that the same do pass.

Respectfully submitted,

A. L. RULE,  
*Chairman of Senate Committee.*

A. O. HAUGE,  
*Chairman of House Committee.*

K. M. LeCOMPTE,  
H. C. ADAMS,  
S. W. KLAUS,  
E. A. LABSON.

## SENATE CONCURRENT RESOLUTION.

CONCURRENT RESOLUTION RELATING TO THE SELECTION OF ADDITIONAL EMPLOYEES OF THE THIRTY-EIGHTH GENERAL ASSEMBLY OF THE STATE OF IOWA, FIXING THEIR COMPENSATION AND DEFINING THEIR DUTIES.

SECTION 1. The custodian is hereby authorized and directed to appoint the following named persons who shall be designated as assistants to the custodian. Their duties shall be designated by him, and they shall be paid a salary of \$77.00 per month:

Peter Adams	Wm. Abraham
T. P. Percefield	C. F. White
N. B. Bryant	A. I. Sarcone
J. S. Wilkinson	H. E. Norton
W. L. Wiley	James Williams
Hugh King	W. I. Locke

SEC. 2. The custodian is hereby authorized and directed to appoint three experienced elevator tenders at a salary of \$70.00 per month.

SEC. 3. The custodian is hereby authorized and directed to appoint Miss Gertrude Hyde as assistant matron at a salary of \$60.00 per month.

SEC. 4. The secretary of state is hereby authorized and directed to appoint Earl Walters, James Rice and Alice Scott for service as clerks at a salary of \$70.00 per month.

SEC. 5. The document editor is hereby authorized and directed to appoint Fern Allen and Rollin H. Sigg for service in the document room at a salary of \$77.00 per month.

SEC. 6. The law librarian is hereby authorized and directed to appoint Mabel Dougherty a stenographer in his office at a salary of \$75.00 per month and Sam Lichtnick as messenger for the law librarian at a salary of \$45.00 per month.

SEC. 7. The custodian is hereby authorized and directed to appoint Mrs. Fred Gresham as a helper in the main post office at the state house at a salary of \$75.00 per month.

SEC. 8. The custodian is hereby authorized and directed to appoint B. F. Howe assistant fireman at a salary of \$75.00 per month.

SEC. 9. The custodian is hereby authorized and directed to appoint Stanger Geyer as messenger and assistant to the chief engineer at a salary of \$60.00 per month.

SEC. 10. The attorney general is hereby authorized and directed to appoint Judge Shelby M. Cullison as an assistant to the attorney general at a salary of \$350.00 per month, and Mrs. Elbert R. Hall an assistant stenographer for the use of the assistant herein named at a salary of \$3.00 per day.

Such assistant to the attorney general and assistant stenographer to be at the disposal of the officers and members of the Senate and House of the Thirty-eighth General Assembly, in the preparation of bills, correcting and remodeling bills to be presented, and rendering such opinions as may be asked for by the officers and members of the Senate and House.

The assistant to the attorney general and the assistant stenographer shall have their office in the law library where he will be accessible to both houses.

Sec. 11. All of the above appointments are hereby made subject to competency and may be removed at any time by the committee upon the recommendation of the head of the department, or the person authorized to make the appointment.

Sec. 12. All of the extra help herein furnished shall be paid from the time of their beginning service.

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

On the question of the adoption of the report the vote was:

Ayes—28.

Anderson	Haskell	Rule
Ball	Horchem	Schaffter
Broxam	Kimball	Scott
Byington	LeCompte	Shane
Cessna	Meredith	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Newberry	Van Alstine
Foskett	Parker	Whitmore
Foster	Rainbow	
Hale	Reed	

Nays—9.

Arney	Frailey	Smith
Buser	Price	White
Evans	Ratcliff	Wilson

Absent or not voting—13.

Adams	Holdoegel	Proudfoot
Balkema	Kimberly	Taylor
Brookhart	Kingland	Thompson
Fellows	Nelson	
Greenell	Pitt	

The report was declared to have been adopted.

#### REPORT OF COMMITTEE ON COMMITTEE CLERKS.

MR. PRESIDENT—Your committee for examining applicants for clerkships

in the Senate submits the following supplemental report, to-wit: That they have examined and found proficient the following applicants:

Rex S. McDonald, Oskaloosa, assigned to Senator Van Alstine.

Mrs. Beulah Wright, Des Moines, unassigned.

Sergt. Geo. W. Wright, Des Moines, unassigned.

Miss Ann Murphy, Des Moines, unassigned.

We recommend the employment of those who are assigned, and move the adoption of this report.

EUGENE SCHAFFER,  
*Chairman.*

The report was adopted.

Rex S. McDonald appeared before the bar of the Senate and was duly sworn.

Senator Kimball introduced the following concurrent resolution:

#### SENATE CONCURRENT RESOLUTION.

*Be It Resolved by the Senate of the Thirty-eighth General Assembly, the House concurring:*

That upon the adjournment of each house of the general assembly on Thursday, the 16th day of January, 1919, each house of the Thirty-eighth General Assembly shall take a recess until 2 o'clock, p. m. on Tuesday, the 21st day of January, 1919, at which time the legislature shall reconvene.

Unanimous consent having been given for immediate consideration, Senator Kimball moved the adoption of the resolution, which motion prevailed and the resolution was declared to have been adopted.

On motion of Senator Coburn, the Senate adjourned until 1:45 p. m.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:45 p. m., President pro tem. Wallace H. Arney presiding.

The Senate proceeded to the House chamber under the direction of the sergeant-at-arms.

## JOINT CONVENTION.

The hour of 2:00 p. m. having arrived, the joint session reconvened, pursuant to motion made in joint convention of Tuesday to take a recess until Thursday, January 16, 1919, at 2:00 p. m.

Hon. Wallace H. Arney, president pro tempore of the Senate, presiding.

The roll was then called and the following members responded:

Adkins	Harrington	Parsons
Alderman	Hauge	Peters
Anderson of Greene	Holloway	Pitt
Anderson of Winnebago	Horchem	Powers
Arney	Ingersoll	Price of Dickinson
Balkema	Kellogg	Price of Monroe
Hail	Kepple	Rainbow
Boies	Kern	Ratcliff
Bradley	Kimball	Reed
Brookhart	King	Rule
Broxam	Knickerbocker	Santee
Buser	Lake	Sayers
Ryington	Langfitt	Saylor
Cessna	Larson of Cedar	Schaffter
Coakley	Larson of Montgomery	Scott of Floyd
Davidson	LeValley	Scott of Marshall
Dean	Long	Shane
Durbin	McFarlane	Slaught
Edson	McGhee	Slosson
Edwards	Mayne	Smith of Madison
Epps	Mead	Stephenson
Evans	Messer	Stoddard
Findlay of Webster	Miles	Stuart
Foskett	Miller of Boone	Springer
Foster	Mitchell	Taylor
Francis	Moen	Ulstad
Garber of Decatur	Moore	Van Camp
Garber of Floyd	Morgan	Vander Ploeg
Gilmore	Morrow	Wallace
Giltner	Nebiker	Weaver
Greenell	Neff	Westervelt
Griffin	Newberry	White
Gunderson	Newton	Whitmore
Hale	O'Donnell	Wichman
Hanna	Oertel	Williams
Hansen	Parker	Wilson of Appanoose
		Wilson of Mahaska—109

Those absent were:

Adams	Finch	Kingland
Allen	Finley	Klaus
Becker	Flenniken	Krouse
Beeman	Fralley	LeCompte
Brown	Haskell	Lockin
Clark	Holdoegel	Mantz
Coburn	Hook	Meredith
Edgington	Justice	Miller of Dubuque
Fellows	Kimberly	Miller of Lucas



Mills	Scott of Appanoose	Thompson
Moorhead	Smith of Clinton	Van Alstine
Mooty	Sterling	Vance
Nelson	Stone	Walrath
Perkins	Sorlien	Windett
Proudfoot	Sutherland	Wormley
Quick	Temple	Young—49
Rogers		

The president pro tempore declared a majority of the general assembly present at the joint convention.

The tellers reported as follows:

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 14, A. D. 1919.

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, 1918, beg leave to make the following report of the total vote cast for governor:

		Soldier Vote	Total
W. L. Harding .....	188,576	4,086	192,662
Claude R. Porter .....	177,017	1,798	178,815
Andrew Engle .....	7,963	43	8,005
Madison L. Christian .....	1,617	8	1,625

And the total cast for lieutenant governor, at the election held November 5, 1918:

		Soldier Vote	Total
Ernest R. Moore .....	204,223	3,643	207,765
Frank B. Whitaker .....	136,927	1,714	138,641
D. W. Crawford .....	8,562	53	8,615
F. J. Wilson .....	1,445	11	1,456

All of which is most respectfully submitted.

W. W. ANDERSON,

C. J. LEVALLEY,

*Judges.*

W. F. MOORE,

T. J. O'DONNELL,

J. K. HALE,

H. C. WHITE,

*Tellers.*

On motion of Senator Anderson of Greene the report was adopted.

President pro tempore Arney of the joint convention announced that W. L. Harding, 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

electd and qualified, and that Ernest R. Moore was duly elected to the office of lieutenant governor for the ensuing term, or until his successor is duly elected and qualified.

President pro tempore Arney 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, A. D. 1919.

This is to certify that upon a canvass in joint convention of the two houses of the Thirty-eighth General Assembly of the state of Iowa of the votes cast at the general election held November 5th, 1918, for governor of the state of Iowa, it appeared that W. L. Harding 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. 1919.

W. H. ARNEY,

*President pro tempore of the Senate  
and President of the Joint Convention.*

ARCH W. MCFARLANE,  
*Speaker of the House.*

W. W. ANDERSON,  
*Teller of the Senate.*

C. J. LEVALLEY,  
*Teller of the House.*

W. C. RAMSAY,  
*Clerk of the House and Clerk of the  
Joint Convention.*

HALL OF THE HOUSE OF REPRESENTATIVES,  
DES MOINES, IOWA, JANUARY 14, A. D. 1919.

This is to certify that upon a canvass in joint convention of the two houses of the Thirty-eighth General Assembly of the state of Iowa, of the votes cast at the general election held November 5th, 1918, for the office of lieutenant governor of the state of Iowa, it appeared that Ernest R. Moore received the highest number of all votes cast for any candidate at said election for said office, and was thereupon 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. 1919.

W. H. ARNEY,  
*President pro tempore of the Senate  
and President of the Joint Convention.*

W. C. RAMSAY,  
*Clerk of the House and Clerk of the*

ARCH W. MCFARLANE,  
*Speaker of the House.*

W. W. ANDERSON,  
*Teller of the Senate.*

C. J. LEVALLEY,  
*Teller of the House.*

*Joint Convention.*

Senator Stoddard of Woodbury moved that a committee of three be appointed to notify the governor and lieutenant governor of the official result of the canvass of the votes. Motion prevailed.

President pro tempore Arney named as such committee: Senator Stoddard of Woodbury, Representatives Knickerbocker of Linn and Griffin of Woodbury.

Senator Stoddard of Woodbury, of the joint committee appointed to notify the governor and lieutenant governor of their election, made the following report and moved its adoption:

MR. PRESIDENT—As a committee appointed at the joint session to inform Honorable W. L. Harding and Honorable Ernest R. Moore 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 assured us that he stands ready to assume the duties of his office.

B. M. STODDARD,  
*On the part of the Senate.*

T. F. GRIFFIN,  
E. H. KNICKERBOCKER,  
*On the part of the House.*

Motion prevailed and the report was adopted.

The sergeant-at-arms announced the arrival of the governor and his staff, Governor-elect Harding and Lieutenant Governor-elect Moore, who were escorted to the speaker's station.

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

Concert, military band from Camp Dodge.

Music by Professor T. Fred Henry's orchestra.

Calling to order by Senator Wallace H. Arney, president pro tempore of the Senate.

Entrance of the governor and escort.

Invocation, Rev. J. Lewis Gillies, Des Moines, Iowa.

Selection by Chamber of Commerce Quartet "A"

Otto Jellison, I. M. Treynor, Jack Campbell, Dr. J. T. Gibson; Prof. Alfred Smith at piano.

Cornet solo, Professor T. Fred Henry.

Selection by Chamber of Commerce Quartet "A."

Administration of oath of office to Governor William L. Harding and Lieutenant Governor Ernest R. Moore, elect, by Chief Justice Scott M. Ladd.

#### GOVERNOR'S INAUGURAL ADDRESS.

*Members of the Senate and House of the Thirty-eighth General Assembly:*

In assuming the duties and obligations to this great people and state as their chief executive for a second time, I desire humbly to acknowledge my own limitations and seek aid and guidance from the Master Builder of the Universe.

My earnest prayer is that I may have ability to see and courage to do the right.

We are living in a new world and a new age. Old things have passed away. Our flag, but recently looked upon by some as a mere piece of bunting, is an inspired blending of colors sacred and worthy to die for. It has just been carried to victory by brave and noble sons. The common enemy of all the world has been prostrated on the field of bloody battle.

The manhood of our country is still virile. As a people, we yet can suffer, sacrifice, fight and die for a cause that is just. The heartbeat of our people is in unison with the ideals of the founders of the government.

Autocracy and greed in government must be banished from the face of the earth. Our brave soldiers and sailors have said in the language of courage, and backed it up by deeds, that the American flag shall and will be respected wherever it is carried. Home and fireside are cardinal principles dear to the American heart. Our men will defend them on field of battle against all comers.

We are assembled today as legislators, officers and people in the presence of Iowa's noble dead. They hover near, they are here. How brave,

how courageous, how true, were our men who wore the uniform of brown and blue. Their spirits beckon us to follow. Can we in reality go with them in the trench, over the top, into the face of death, for a cause that is right?

Members of this general assembly, let us catch the spirit of this nobility in our work that was in the living personality of the brave sons of Iowa on that great day at Chateau Thierry when the tide of battle was changed. That was a great day for Iowa and all the world. Pride and glory there is for all of us in the fact that our sons were there that fateful day and ready to meet the hordes of Huns, to fight, to win, to turn the tide for all the world and for all time. Autocracy, in that meeting with freemen of the west, was stopped and turned back. Representative government and civilization will go on in the world because the men from our own state and others were ready that day for the supreme test.

Those sons of Iowa on that and other days over there, in bloody battle and all the horrors of war, facing death, were living and exemplifying the very spirit of our people. It was home and school and church speaking in the language of reality. They joined ideal with action.

Who were the boys and men who fought and died, and prepared to fight and die? Were they strangers from a strange land or gathered from some far-off people? These young men came from the firesides of the homes scattered on the plains of this mighty prairie state. They were our neighbors and our friends, just the regular fellows.

They had ambition. They were filled with the pride and glory of young manhood. Youth was theirs, and in its fervid promise they had dreamed and planned for a climb to distinction among their fellows. Their bodies were strong, their minds pure, their vision clear, and in this strength, they were summoned to war.

They were gathered from the plow and the counter, from every walk of life, the rich, the poor, every creed, and every faith—all willingly answering the summons to make the supreme sacrifice in the same noble spirit.

We put into their hands the care and keeping of that dear old flag and trusted them to cross the ocean with it. There was the temptation staring them in the face of conquest, of riches, of territory, of power. They could have gone for themselves, they could have conquered, they could have possessed. They are bringing the flag back and they hand it to us without a stain or tarnish. There is but one change in it. The luster is a little brighter, for the red has been augmented by the blood shed in the spirit of sacrifice by freemen of this day and this generation.

They sought no man's possessions, they fought and stand to fight again, being one in thought with that great American statesman who said, "God gave liberty only to those who love it and are always ready to guard and defend it."

The struggle for human liberty is a pathway running back through history, illumined by heroism, sacrifice and bloodshed. Our own boys responded to the trumpet which called freemen of every age.

America, our own fair country, presents the best of all national response to the heart-throb of all time. Somehow, we catch the echoes of the longing ages and transmit them as living voices applying to the work-day problems of humanity today. Ours is to fight 'til kings are gone, thrones destroyed, and the ideals of representative government firmly established everywhere.

This is not the hour to be discouraged or pessimistic. We ought here to catch the spirit of our soldiers, their sacrifice, their service. We should rather be encouraged and rejoice that we have a field of endeavor before us ripe for the harvest.

The light is breaking with a dawn of better things. It is for us to transmute this light into terms of applied social and economic betterment.

You are the eyes of the people, and by and through you whatever of vision is to be had of the future must be focused in appropriation and law.

Do not fix a false measuring stick for the amount of the people's money you provide to be spent. Too often we say, "The legislature appropriated more dollars in this session than in a former one, and therefore they raised the taxes." Or we say, "The legislature appropriated less dollars than a former one, and so the taxes are lower." Both may be a false standard of what the legislature actually did. At least, the amount appropriated measured by a former amount expended is a false measuring stick.

The real question is, "For what are the dollars that are appropriated to be used?" If they are to be used for better health, public welfare, education, social betterment, industrial betterment; while more of these dollars may be provided, the real taxes may be greatly lowered. Taxes come out of the bodies of men and women and children.

Real retrenchment comes when the public, through its various agencies, is able to take these dollars thus secured and make them yield in bettering the conditions under which all these people labor and live.

You are not here alone to check, account and appropriate for the biennial period. This is a part of your work, but only a part. If you do your work well, you will look into the tomorrow. You will see Iowa a quarter or a half century from now and make provision for that day. You should take into account the basic facts on which development rests and then build for the state and society that will be here in the days to come. Yours is to know conditions today and then to have a forward-looking into the future so that evils and handicaps of this time will be eliminated.

I think of no greater honor or satisfaction that could come to an individual than to be placed in a position of responsibility where he can, in a definite way be instrumental in making rules and laying plans that will tend to a better social, educational, moral and economic condition for a great and good people.

You are representatives of the folks at home. You are here in the stead of the rich, the poor, the humble, the exalted. You are to conduct

their state for them. You are to say what conditions their children are to live under. You are here to forge or break shackles. You are to say whether the people shall live in a hovel or a home, whether they be tenant or owner, whether they are educated or ignorant. It is for you to say whether this is to be a nation with one people, one language, and one flag.

You occupy a place of trust and responsibility. The task is not an easy one. It takes a brave, fearless, courageous, honest individual to be a good legislator.

Peculiarly to this assembly is set the task of leadership in solving the problems of tomorrow, not alone for the state but for the nation.

Our location, our people, our place among the states in leadership in furnishing men and money for the war; all combine to put us where we can and should march at the front of the column of progress.

In this connection, therefore, I desire to indicate some of the problems that appeal to me as calling for earnest attention and action.

This union of states called America is a nation, not an asylum. We are big enough, old enough, and good enough to have a language of our own, loved and used by all our citizens. If all loved the language, they would the more desire to use it, for it has a beauty of expression and directness possessed by no other language.

Perhaps the best way to create this love for our language so desirable is to insist, under proper rules, that all learn it.

I know there are those who argue that it is narrow to insist that as a condition precedent to citizenship the official language of the country be mastered and used, or that the youth in his very beginning be required to gain his first impression of the country and society in the language of the country. The answer to all such contenders is, "Your first love is not America, it is some other country, or it may be greed for gold. It is one or both."

The strength of our nation lies in the understanding and love our people have of its ideals and traditions. Handicapped indeed, for citizenship and growth, is that individual who has not read the Declaration of Independence and Lincoln's Gettysburg Address in the language of their authorship. Sad indeed was the plight of the country when, engaged in a great world war, it found it necessary to stop in its preparation of men to fight, to teach them to speak and even to read and understand the language of the country well enough so that they could be drilled and take or give orders. It was not wholly the fault of the men. As a nation, we opened the door and left it. We should have stood by in those other days and said, "This is America. If you come to be one of us, learn and use our language, acquaint yourselves with our traditions and ideals, become a part of our life and thought, and then we will make you a citizen of our country. If you are not here to be one of us, you may tarry for a time, but not in a colony, and then you must go back."

The errors of the past should be our spur to achieve where we have lost. We should act now with intelligence and courage. This country has one flag and only one. There is not room here for two.

We can and should pass laws against the red flag. It should be a crime to hoist it or to follow it. We ought to have a people so thoroughly American, so enamored of liberty, so filled with the spirit of our institutions, that there would be no desire or affection for another flag.

Do not misunderstand what I am saying or misapply it, for in Iowa we are not yet troubled with divided affection. However, it is abroad in the land to an alarming extent.

Iowa should lead. Some state must blaze the trail. We have the people with the courage to pioneer, and if not, then I am mistaken in my understanding of them.

English is the official language of the United States and of the State of Iowa. Freedom of speech is guaranteed by both state and federal constitutions, but this is not a guaranty of the right to use a language other than the official language.

By proclamation, as the chief executive of the state and with authority vested in me as such, and as a war measure, last year I asked the people of the state to observe this principle of law during the period of the war. For all practical purposes, the war is at a close. I therefore leave the matter in your charge for further action.

I recommend that the least you do be to provide that each child be required to be taught in English and no other language in every school up to the grade of high school. After that, they may be permitted to study foreign languages as they choose, but that all schools use English as the medium of instruction in all branches.

If it should appeal to you and there is demand for it, provision can be made for the study of English by those who are past the school age.

Education is one of the foundation institutions on which representative government rests. It should not be left to choice or be simply free, it should be compulsory.

School houses and equipment are but conveniences toward the education of the people. The fundamental factor in all education is the teacher. you can be very helpful in determining the quality and standard of the teaching force of the state by directing along certain lines. May I suggest that a fixed, definite standard be established, and once the individual attains that place that then he be made a member of the teaching profession and for life. This, I believe, will encourage more people to make this activity their life work.

The salaries of teachers are now largely inadequate both for the service rendered and the importance of the work performed. A partial if not complete remedy for this situation lies in paying for a year's work which the teacher already performs.



Some advocate a pension or annuity to make up for the shortage in salary and the inadequacy of it in the past. To my mind, here lies a grave danger to individual initiative and our representative form of government. A pension as part pay for services rendered in ordinary vocations is, to say the least, a mild form of slavery. It hampers the freedom of the individual and of contract.

I bespeak, therefore, from you, for the teachers, freedom from the bondage of poverty under which they now labor.

Let Iowa be pioneer in unshackling the youth of the state to mine the riches of education under the guidance of an adequately paid, helpful, forward-looking teacher, with the right to contract for a period of time long enough so that he may become an actual resident of the place and have part in the activities of the community.

The greatness and perpetuity of a people and a nation depend very largely upon the opportunity for individual initiative and leadership. That nation which ties down the individual will sooner or later lose in the race for supremacy and have a servile people.

It is the business of government to enlarge the scope and the opportunity of the individual; it can guide, help and control, but should not go to the extent that it owns and manages.

Individuality and private ownership are primary and fundamental principles in the development of a lasting civilization.

It is my firm conviction that the time is now here when, as a state, we should interest ourselves in seeing to it that plans are laid and opportunity offered to those who desire to own their own homes.

A home owned by the family is an anchor against an evil day. It builds for permanency. It creates citizenship interest and is in harmony with nature's fundamental law. A man will take a shotgun to defend a home, but seldom a boarding house.

The Secretary of the Interior proposes that the federal government, in conjunction with the state, purchase cut-over, swampy and arid lands for the use and benefit of the returned soldier who may desire to farm, provision to be made by the two governmental activities in the plan for financing over a long period of years, with easy money, allowing the soldier to pay back and thus become owner.

Iowa has no waste land to be reclaimed for farming purposes.

If this plan is feasible as applied to farm lands, why cannot the same principle be applied to smaller divisions, even as small as a town lot, and thus accommodate the returned soldier whose training in life calls him to an occupation in the city?

And if it is feasible for the purpose of rendering aid to returned soldiers, why is it not equal of application to every citizen who may desire to avail himself of the opportunity and thus become a property owner?

This is submitted for your consideration with the hope that it will at least result in investigation.

The legislature two years ago took one step in an effort to prevent bad housing conditions in the state. In my opinion, you should, before you adjourn, complete the task, so far as it can be done by remedial laws.

In this state we have said by statute that a dollar can never be loaned legally for more than 8 per cent.

We have also said by statute that a man is entitled to a safe place in which to work. By a safe place in which to work we mean plenty of light, fresh air, and guarded machinery. Both statutes have been declared constitutional, not only in Iowa, but generally, and are upheld by public opinion.

The family is more sacred than the dollar. The health and comfort of the family are as vital to the welfare of the state as that of the dollar, or of the man or woman who toils in a factory. A safe place in which to work is vital, from the standpoint of the laborer, and a safe place in which the family is to live is vital to the state.

For the protection of society, we have announced two great fundamental principles; first, the dollar cannot be legally loaned for more than a given amount; second, the laborer is entitled to a safe place in which to work.

The third great principle that ought to be announced is that the family should have the right to live in a house, the rent of which shall not net the dollars of the owner more than a fixed amount, and that it be a safe place in which the family shall live—that is, that there be plenty of light, air, and a plot of ground. If the first two propositions are sound, and they are, then the third is sound.

The home is the foundation of all social improvement and betterment. The state is vitally interested in the generation of tomorrow. It can largely shape the moral and intellectual fiber of the next generation and generations by proper and right legislation for home surroundings. This means, first, regulation of the tenement house, both as to conditions surrounding same and rent.

Now is the time to act in Iowa on this great question. Delay is expensive in dollars, man power, and motherhood efficiency. The man of the palace is as vitally interested in this problem as the man of the hovel. As the solution of this problem is delayed, society and the state pay the bill in broken manhood and womanhood. The legal questions involved and the right of the state to act are both well settled. Courage to face the issue and efficient leadership are the call of the hour.

I believe in the widest possible distribution of knowledge, for knowledge is preparedness.

Our competition, in the future, for world trade will be more keen than in the past. Yesterday, it was easy for us to contend with the old

world in production, for they were shackled with autocracy and militarism. With victory coming to the allied cause, we will now compete with freemen.

There should be in this country some system of universal service, not so much for the purpose of making soldiers with which to contend on field of battle, as to create a universal man power to work together in harmony and equality in the battles of peace.

It is good for both the rich and the poor to have them touch elbows in common place. Better understanding on the part of each of the problems of the other will make easy the settlement of many vexing controversies of this time.

Experience growing out of the recent war in examining men for the service has brought to our attention the fact that there is an appalling number who are physically defective so that they are constantly working under handicap.

Four years ago, the state was a pioneer in establishing a hospital at the university to care for diseased and crippled children. I commend to your attention the opportunity now presented to extend and broaden this service. I am sure you will agree that here is a field for the state to invest money that will not only pay dividends in dollars, but in the larger way, in health, happiness and efficiency.

What can be said in the interest of the physical defective can also be said, and perhaps with greater force, in the interests of those who are mentally defective. Provision should be made for these, and in doing this the state is approaching the ideal of perfection.

The prosperity of any country is largely gauged by the prosperity of the farmer. The farm being one of the sources of original production, questions concerning it are therefore of vital interest to every citizen, no matter what his occupation or location may be.

In the past, agricultural policies have largely dealt with the subject of increased production. In the future, the agricultural policy of the state should deal not only with production, but should include the larger field of marketing.

I hold that the farmer is entitled to sell what he produces on an honest market, and the consumer is equally entitled to buy in an honest market. At the present time, this privilege is not granted to either class.

There are two, general, nation-wide obstacles in the way of an honest market to which your attention is directed at this time:

First, and most baneful, is the food produce gambler, the man who buys and sells that which does not exist. I know when I mention this subject I tread on dangerous ground. However, I want it distinctly understood that in my judgment there can never be an honest market for the produce of the farm so long as the gambler is permitted to create false markets and false impressions about supply and demand.

Second, we owe it to the producer as well as the consumer to gather definite, detailed information as to the amount of the various kinds of foodstuffs produced each year, not by estimate but by actual figures.

If a state representative for each four sections was to report, say in June, the actual number of acres of grain of various kinds and the actual number of head of live stock in his section, and again, say about the first of the year, report on the actual production, in the course of a very few years we would have definite statistical information upon which intelligent opinion could be formed by the farmer in deciding what to plant and when to sell.

By doing away with the man who gambles in foodstuffs and by creating definite information as to supply, we could reestablish the law of supply and demand.

I commend the subject of marketing in all its ramifications to you for consideration and action.

A marketing department, in my judgment, should be established, coordinated with the farm bureau and the county agent, both of which should be strengthened. Added authority should be given for community endeavor in solving the problems too large for the individual.

No body of men were ever convened with power to carry into effect the ideals of a people under brighter prospects than confront this legislature. The golden age for Iowa is just breaking.

Nature was in a most pleasant mood when our land was fashioned. She bounded us by two mighty rivers, here ever to be harnessed for power unlimited. She pencilled the landscape for beauty and utility. She left lake, and stream, and wooded hill, she gave forest and prairie for the pioneer, and coal to turn the wheels of industry.

Life in abundance was hid in the soil, waiting only the hand of the plowman and springtime's gentle kiss to blossom into a harvest abundant to feed a hungry world.

Here can be bullded the civilization fashioned in the image of the Maker and translated into reality by the genius of man that shall be peer and leader of all the world.

Play spots are necessary in building a permanent state. Men and women are but children grown up. Heart joys and heart aches are common to us all. Sentiment and tradition are threads that hold us steady and bring us back to the old homestead or the place of our birth.

Scattered all over the state here and there are gems of beauty in lake or wood or dell or river bank, not grand in their massiveness but pure in their simple beauty.

Let us make provision to save these for the children of the future. What the pioneer beheld in his first coming should be planted into the life of tomorrow, and out of this will grow tradition that will persuade many to stay and bid the wanderer to return to worship at their shrine.

The future Iowa is committed to you. It must be more than a bit of territory lying between two rivers. It must be more than tradition, more than what the soil can produce, more than live stock and golden waving grain, more than factories and coal mines, more than roads and transportation.

The Iowa that you vision and build should be homes and schools and churches; strong, noble men; pure women; happy, healthy boys and girls; a social system bottomed on equality, individuality, and the right to possess; a community life co-ordinated; a flow of plenty to all who work; a state loyal to the Union, with one flag and one language.

Des Moines, January 16, 1919.

Music, T. Fred Henry's orchestra.

The minutes of the joint session were read and approved.

Senator Balkema moved that the joint convention be now dissolved. Motion prevailed.

#### HOUSE RESUMED SESSION.

Speaker McFarlane in the chair.

#### BILL SIGNED BY THE SPEAKER.

No committee on enrolled bills having been appointed, Harrington of Kossuth asked for unanimous consent to authorize the speaker to sign House File No. 1. It was then unanimously—

*Ordered*, That if the speaker is satisfied that the said bill is correctly enrolled he be authorized to sign the same, and to have the same transmitted to the Senate for signature and then to the governor.

The speaker then announced that, as speaker of the House and in the presence of the House, he had signed House File No. 1, and instructed the chief clerk to transmit same as above ordered.

The following communication was received from the board of education:

#### FINANCES OF STATE EDUCATIONAL INSTITUTIONS.

Des Moines, Iowa, January 16, 1919.

*To the Members of the Thirty-eighth General Assembly:*

GENTLEMEN—In accordance with Section 2682-b, Chapter 5-A, Title 13, of the Supplement to the Code, 1913, entitled "Of Reports from Educational Institutions," I herewith submit the following reports for the biennial period that began July 1, 1916:

1. Report of the Secretary of the State University.
2. Report of the Secretary of the Iowa State College of Agriculture and Mechanic Arts.
3. Report of the Secretary of the Iowa State Teachers College.

Very truly yours,

W. H. GEMMILL,

Secretary, Iowa State Board of Education.

### STATE UNIVERSITY OF IOWA, REPORT OF SECRETARY.

To the Thirty-eighth General Assembly:

Statement of Receipts and Disbursements for the year which commenced July 1, 1916, and ended June 30, 1917.

#### RECEIPTS.

Funds for the erection of buildings, etc.	\$ 217,457.31	
Income Support Funds	888,766.80	
Special Funds	63,707.31	
Total Receipts		\$1,109,930.51

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 and dormitory funds are not included in the above statement. For account of these funds see pages 10 and 17.

#### DISBURSEMENTS.

Funds for the erection of buildings, etc.:		
Building Tax Fund	\$ 126,001.24	
Repair and Contingent Fund	35,952.64	
Equipment New Building Fund	13,584.04	
Equipment and Supplies Fund	10,593.77	
Engineering Equipment Fund	100.41	
Electrical Equipment Fund	5,301.00	
		\$ 192,199.76
Income Funds:		
Support Fund	\$ 80,839.54	
College of Applied Science, etc., Fund	412,052.45	
College of Education Fund	31,052.01	
College of Dentistry Fund	57,997.61	
College of Fine Arts Fund	3,570.50	
Graduate College Fund	16,850.34	
Summer Session Fund	25,303.96	
Administration Fund	33,034.17	
Buildings and Grounds Fund	108,480.57	
		776,736.25
Special Funds:		
Library Fund	\$ 17,337.64	
University Extension Fund	21,613.55	
University Epidemiologist Fund	5,058.59	
Paving and Sidewalks Fund	3,028.70	
College Heating Plant	9,473.06	
Heating Plant Tunnel	100.63	
Special Land Fund	1,206.21	
		57,878.33
Total Disbursements		\$1,026,804.33

#### BALANCES IN UNIVERSITY TREASURY, JUNE 30, 1917.

Funds for the erection of buildings, etc.:	
Building Tax Fund	\$ 3,334.07
Repair and Contingent Fund	92.96

Equipment New Buildings Fund.....	12,417.88	
Equipment and Supplies Fund.....	9,232.77	
Engineering Equipment Fund.....	179.27	
<b>Support Funds:</b>		
Educational Support Fund.....	53,266.81	
College of Applied Science, etc., Fund.....	15,368.91	
College of Education Fund.....	13,966.83	
College of Dentistry Fund.....	1,439.19	
College of Fine Arts Fund.....	8,179.50	
Graduate College Fund.....	3,544.70	
Summer Session Fund.....	4,637.39	
Administration Fund.....	11,636.32	
<b>Special Funds:</b>		
Library Fund.....	1,832.12	
University Extension Fund.....	2,710.00	
University Epidemiology Fund.....	91.17	
Special Land Fund.....	625.63	
Donated Land Fund.....	559.01	
		<b>\$ 143,126.12</b>

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.....		\$1,169,930.51
Total disbursements, as shown.....	\$1,026,804.39	
Balances, as shown.....	143,126.12	
	<b>\$1,169,930.51</b>	<b>\$1,169,930.51</b>

Amount of moneys available from all sources during the year which commenced July 1, 1916, and ended June 30, 1917, for the erection, equipment, improvement and repair of buildings at the University.

**One-fifth Mill Building Tax Fund:**

Balance in Building Tax Fund, July 1, 1916.....	\$ 4,800.25	
Received—State Warrants:		
(36th G. A., H. F. 248, Sec. 1).....	125,900.00	
Received—Sale of material.....	155.90	
Received—Cancelled Warrants.....	39.76	
		<b>129,905.91</b>

**Repair and Contingent Fund:**

Balance in Fund, July 1, 1916.....	\$ 54.02	
Received—State Warrants:		
(36th G. A., S. F. 288, Sec. 1).....	35,000.00	
Received—Sale of material.....	989.82	
Received—Cancelled Warrants.....	1.76	
		<b>36,045.60</b>

**Equipment and Supplies Fund:**

Balance in Fund, July 1, 1916.....	\$ 7,158.56	
Received—State Warrants:		
(36th G. A., S. F. 288, Sec. 1).....	12,500.00	
Received—Sale of material.....	162.58	
Received—Cancelled Warrants.....	5.40	
		<b>19,826.54</b>

**Equipment of New Buildings Fund:**

Balance in Fund, July 1, 1916.....	\$ 3,476.84	
Received—State Warrants:		
(36th G. A., S. F. 242, Sec. 1).....	22,500.00	
Received—Sale of material.....	25.08	
		<b>26,001.92</b>

**Engineering Equipment Fund:**

Balance in Fund, July 1, 1916.....		285.68
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**Electrical Equipment Fund:**

Balance in Fund, July 1, 1916.....	\$ 301.66	
Received—State Warrants:		
(36th G. A., S. F. 242, Sec. 1).....	5,000.00	
		<b>5,301.66</b>

Total ..... **\$ 217,457.31**

Receipts from all sources during the year which commenced July 1, 1916, and ended June 30, 1917, going to make up the "Support Funds" of the University except hospital and dormitory receipts.

**Educational Support Fund:**

Received—State Warrants:		
(36th G. A., S. F. 288, Sec. 1).....	\$ 454,700.00	
Received from tuitions.....	117,535.51	

Received from diploma fees.....	5,310.00
Received from Ophthalmology and Otology receipts.....	2,439.43
Received from vaccines.....	-----
Received from Dental Clinic receipts.....	14,736.74
Received from Law Loan Book receipts.....	339.50
Received from multigraph receipts.....	1,330.15
Received from interest on daily bank balance.....	5,765.24
Received from miscellaneous cash, locker rentals.....	-----
Received from Laboratory breakage, etc.....	9,581.38
Received from interest on Permanent Land Fund.....	14,129.59
Received from Warrants cancelled.....	236.23

\$ 624,470.70

Less amounts transferred from Educational Support Fund to the following funds:

College of Applied Science, etc., Fund.....	\$344,235.00
College of Education Fund.....	16,100.00
College of Dentistry Fund.....	32,810.00
College of Fine Arts Fund.....	4,500.00
Graduate College Fund.....	7,250.00
Summer Session Fund.....	10,000.00
Administration Fund.....	30,000.00
Buildings and Grounds Fund.....	96,292.27

541,777.27

Net Receipts.....	\$ 82,693.43
Balance in Fund, July 1, 1916.....	57,412.92

\$ 140,106.35

College of Applied Science, etc., Fund:

Balance in fund July 1, 1916.....	\$ 14,252.68
Received—State Warrants:	-----
(36th G. A., S. F. 288, Sec. 1).....	68,350.00
Received from sale of material.....	163.68
Received from cancelled warrants.....	420.00
Received from transfer from Educational Support Fund.....	344,235.00

\$ 427,421.36

College of Education Fund:

Balance in fund July 1, 1916.....	\$ 7,640.38
Received—State Warrants:	-----
(36th G. A., S. F. 288, Sec. 1).....	20,000.00
Received materials sold.....	6.95
Received tuitions Experimental schools.....	2,841.50
Received cancelled warrants.....	30.00
Received transfer from Educational Support Fund.....	16,100.00

\$ 45,618.83

College of Dentistry Fund:

Balance in fund July 1, 1916.....	\$ 2,841.80
Received—State Warrants:	-----
(36th G. A., S. F. 288, Sec. 1).....	23,726.00
Received transfer from Educational Support Fund.....	32,810.00

\$ 59,378.80

College of Fine Arts Fund:

Balance in fund, July 1, 1916.....	\$ 4,250.00
Received—State Warrants:	-----
(36th G. A., S. F. 288, Sec. 1).....	5,000.00
Received transfer from Educational Support Fund.....	4,500.00

\$ 11,750.00

Graduate College Fund:

Balance in fund July 1, 1916.....	\$ 3,866.02
Received—State Warrants:	-----
(36th G. A., S. F. 288, Sec. 1).....	9,000.00
Received sale of material.....	56.42
Received cancelled warrants.....	222.60
Received transfer from Educational Support Fund.....	7,250.00

\$ 20,395.04

Summer Session Fund:

Balance in fund July 1, 1916.....	\$ 3,929.45
Received—State Warrants:	-----
(36th G. A., S. F. 288, Sec. 1).....	16,000.00
Received cancelled warrants.....	11.00
Received transfer from Educational Support Fund.....	10,000.00

\$ 29,940.45

Administration Fund:

Balance in fund July 1, 1916.....	\$ 7,839.54
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Received—State Warrants: (36th G. A., S. F. 288, Sec. 1).....	6,225.00	
Received transfer from Educational Support Fund.....	30,500.00	
Received miscellaneous sources .....	15.36	
		\$ 44,670.49
<b>Building and Grounds Fund:</b>		
Received—State Warrants: (36th G. A., S. F. 288, Sec. 1).....	\$ 12,000.00	
Received sale of material .....	194.30	
Received transfer from Educational Support Fund.....	96,292.27	
		\$ 108,486.57
<b>Total .....</b>		<b>\$ 888,765.89</b>

The amount of moneys available for special purposes, not connected with "erection, equipment, improvement, and repair of buildings" or going to make up the "Support Fund" of the University during the year which commenced July 1, 1916, and ended June 30, 1917.

**Library Fund:**

Balance in fund July 1, 1916.....	\$ 1,565.64	
Received—State Warrants: (36th G. A., S. F. 288, Sec. 1).....	17,000.00	
Received sale of material .....	101.97	
Received cancelled warrants.....	22.15	
		\$ 19,189.76

**University Extension Fund:**

Balance in fund, July 1, 1916.....	\$ 5,833.90	
Received—State Warrants: (36th G. A., S. F. 288, Sec. 1).....	17,500.00	
Received sale of material .....	1,013.65	
Received warrants cancelled .....	3.00	
Received correspondence courses .....	473.00	
		\$ 24,323.55

**University Epidemiology Lab. Fund:**

Balance in fund, July 1, 1916.....	\$ 149.76	
Received—State Warrants: (36th G. A., S. F. 288, Sec. 1).....	5,000.00	
		\$ 5,149.76

**Paving and Sidewalks Fund:**

Balance in fund, July 1, 1916.....	28.70	
Received—State Warrants: (36th G. A., S. F. 242, Sec. 1).....	3,000.00	
		\$ 3,028.70

**Enlarged Heating Plant:**

Balance in fund, July 1, 1916.....	9,314.53	
Received sale of material.....	158.53	
		\$ 9,473.06

**Tunnel to New Buildings:**

Balance in fund, July 1, 1916.....	160.63	
		\$ 160.63

**Special Land Fund:**

Balance in fund, July 1, 1916.....	535.84	
Received rents .....	1,296.00	
		\$ 1,831.84

**Donated Land Fund:**

Balance in fund, July 1, 1916.....	\$ 425.01	
Received rents .....	125.00	
		\$ 550.01
		\$ 63,707.31

The A. Whitney Carr Free Scholarship Interest Fund, the F. O. Lowden Oratory Prize Interest Fund, the W. J. Bryan 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, dormitory and store house receipts at the University for the year which commenced July 1, 1916, and ended June 30, 1917.

University Hospital:		
Credit balance July 1, 1916.....	\$	2,070.68
Hospital earnings.....		150,158.07
Nurses' earnings outside of hospital.....		175.03
Operating room fees.....		720.00
	\$	160,447.33
Balance overdrawn June 30, 1917.....		16,704.71
		\$ 177,152.04
Currier Hall:		
Credit balance July 1, 1916.....	\$	15,819.35
Room rents.....		14,840.84
Board.....		25,313.96
		\$ 55,974.14
University Homeopathic Hospital:		
Hospital earnings.....	\$	7,808.99
Nurses' earnings outside of hospital.....		504.65
Operating room fees.....		1,119.20
	\$	9,492.84
Balance overdrawn June 30, 1917.....		5,010.71
		\$ 14,503.55
Store House:		
Charges to various departments for year 1916-1917.....	\$	97,733.51
Miscellaneous cash receipts.....		82.82
	\$	97,816.33
Balance overdrawn June 30, 1917.....		6,516.11
		\$ 104,332.44
The above store house overdraft is covered by stock and fixtures on hand \$25,606.10.		
Expenditures from funds for the "erection, equipment, improvement, and repair of buildings" at the University, during the year which commenced July 1, 1916, and ended June 30, 1917.		
Building Fund:		
N. W. University Hospital wing.....	\$	5,841.22
Nurses' home.....		111.69
Women's gymnasium.....		468.54
Men's gymnasium.....		241.90
Dental building.....		84,152.14
Isolation hospital.....		35,289.86
Botany and geology building.....		555.89
Total expenditures.....	\$	126,661.24
Balance on hand June 30, 1917.....		3,334.67
		\$ 129,996.91
Repair and Contingent Fund:		
General repairs.....	\$	3,175.79
Plumbing repairs.....		2,044.35
Electric repairs.....		3,891.51
Heating repairs.....		2,923.42
Lighting repairs.....		1,473.89
Painting repairs.....		2,707.05
Boiler repairs.....		1,664.59
Building repairs.....		5,954.02
Roof repairs.....		554.50
Sewer repairs.....		50.08
Tunnel repairs.....		372.34
Telephone booth repairs.....		30.19
Elevator repairs.....		58.32
New boiler repairs.....		249.50
Engine repairs.....		171.16
Gas engine repairs.....		143.10
Heating plant repairs.....		4,120.50
Dept. of English courses.....		5.70
Dept. of Latin courses.....		116.05
Lumber account.....		54.06
Reservoir.....		730.23
Sidewalks.....		4.50
University Hospital repairs.....		5,026.57
University dam wing wall.....		290.00
Care of athletic field.....		248.85
Care of campus.....		32.10
Care of tennis courts.....		136.75
Homeopathic Hospital repairs.....		296.98
Y. M. C. A. building board.....		6.54
Total expenditures.....	\$	35,952.64

Balance cash on hand June 30, 1917.....	92.96	
		\$ 36,045.66
<b>Equipment and Supplies Fund:</b>		
College of Ap. Science equipment.....	\$ 2,307.26	
College of Liberal Arts equipment.....	2,316.43	
College of Pharmacy equipment.....	2,857.48	
University Homeopathic Hospital equipment.....	209.29	
Department of Anatomy equipment.....	284.80	
Registrar's Office equipment.....	170.00	
Multigraph equipment.....	81.50	
General equipment.....	1,880.99	
Window shades.....	33.94	
Electric supplies.....	296.99	
Plumbing supplies.....	255.09	
Total expenditures.....	\$ 19,593.77	
Balance cash on hand June 30, 1917.....	9,232.77	
		\$ 19,826.54
<b>Equipment New Buildings Fund:</b>		
University Hospital equipment.....	\$ 2,866.50	
Homeopathic Hospital equipment.....	53.24	
Department of English equipment.....	160.07	
Department of Chemistry equipment.....	44.60	
University High School equipment.....	761.21	
Elementary School equipment.....	116.30	
Department of Mathematics equipment.....	134.37	
Manual Training equipment.....	177.18	
Old Science Building equipment.....	544.30	
College of Dentistry equipment.....	6,333.69	
Women's Gymnasium equipment.....	793.87	
Men's Gymnasium equipment.....	116.98	
Superintendent Buildings and Grounds equipment.....	467.25	
Carpenter shop equipment.....	114.30	
Total expenditures.....	\$ 13,584.04	
Balance cash on hand, June 30, 1917.....	12,417.88	
		\$ 26,001.92
<b>Engineering Equipment Fund:</b>		
College of Applied Science equipment.....	\$ 106.41	
Balance cash on hand, June 30, 1917.....	179.27	
		\$ 285.68
<b>Electrical Equipment Fund:</b>		
Electric plant equipment.....	\$ 5,301.66	
		\$ 5,301.66
Expenditures from Support Fund for the year which commenced July 1, 1916, and ended June 30, 1917:		
<b>Educational Support Fund:</b>		
<b>Alumni Bureau:</b>		
Salaries.....	\$ 1,840.00	
Supplies, etc.....	383.43	
		\$ 2,223.43
<b>General Library:</b>		
Salaries.....	\$ 9,221.19	
Supplies, etc.....	776.11	
Assistance.....	1,455.47	
		11,452.77
Law Loan Book Account expenditures.....		244.70
Engineering Testing Laboratory.....		13.83
Tuition refunded.....		89.00
School of Music tuitions.....		9,252.38
Fixed charges, or general expenditures, such as bulletins, catalogues, printing, postage, etc.....		40,415.61
University Hospital overdraft.....		16,704.71
Homeopathic Hospital overdraft, 1915-16, 1916-17.....		6,443.11
Total expenditures.....		\$ 86,820.54
Balance cash on hand, June 30, 1917.....		53,266.81
		\$ 140,106.35
<b>College of Applied Science, Liberal Arts, etc., Fund:</b>		
<b>College of Liberal Arts:</b>		
Salaries.....	\$ 226,646.75	
Supplies.....	15,736.19	
		\$ 236,376.94
<b>College of Applied Science:</b>		
Salaries.....		42,726.39

<b>College of Law:</b>		
Salaries .....	\$ 24,747.30	
Supplies, etc.....	1,111.86	
	<hr/>	25,859.16
<b>College of Medicine:</b>		
Salaries .....	\$ 78,885.86	
Supplies, etc.....	14,139.81	
	<hr/>	93,025.67
<b>College of Homeopathic Medicine:</b>		
Salaries .....	\$ 5,300.00	
Supplies, etc.....	35.22	
	<hr/>	5,335.22
<b>College of Pharmacy:</b>		
Salaries .....	\$ 6,280.00	
Supplies, etc.....	309.37	
	<hr/>	6,579.37
Total expenditures.....		\$ 412,052.45
Balance cash on hand, June 30, 1917.....		15,368.91
		<hr/>
		\$ 427,421.36
<b>College of Education Fund:</b>		
<b>Department of Education:</b>		
Salaries .....	\$ 16,125.00	
Supplies, etc.....	706.49	
Traveling expenses.....	508.79	
Superintendents' meeting.....	525.00	
	<hr/>	\$ 17,865.28
<b>Model School:</b>		
Salaries .....	\$ 7,810.00	
Supplies .....	1,164.51	
	<hr/>	8,974.51
<b>Experimental School:</b>		
Salaries .....	\$ 4,690.00	
Supplies .....	687.22	
	<hr/>	5,377.22
Education assistants.....		435.00
		<hr/>
Total expenditures.....		\$ 32,652.01
Balance cash on hand, June 30, 1917.....		13,966.82
		<hr/>
		\$ 46,618.83
<b>College of Dentistry Fund:</b>		
Salaries .....	\$ 39,280.00	
Supplies, etc.....	18,657.61	
	<hr/>	\$ 57,937.61
Balance cash on hand, June 30, 1917.....		1,439.19
		<hr/>
		\$ 59,376.80
<b>College of Fine Arts Fund:</b>		
Salaries .....	\$ 3,000.00	
Supplies .....	570.50	
	<hr/>	\$ 3,570.50
Balance cash on hand, June 30, 1917.....		8,179.50
		<hr/>
		\$ 11,750.00
<b>Graduate College Fund:</b>		
Fellowships and Scholarships.....	\$ 9,570.00	
Research assistants.....	3,301.00	
Supplies and expenses.....	2,979.34	
	<hr/>	\$ 15,850.34
Balance cash on hand, June 30, 1917.....		3,544.70
		<hr/>
		\$ 20,395.04
<b>Summer Session:</b>		
Salaries, first session.....	\$ 17,743.52	
Salaries, second session.....	4,779.00	
Supplies, etc.....	2,780.54	
	<hr/>	\$ 25,303.06
Balance cash on hand, June 30, 1917.....		4,637.39
		<hr/>
		\$ 29,940.45
<b>Administration Fund:</b>		
Salaries .....	\$ 30,063.04	
Supplies and assistance.....	2,941.13	
	<hr/>	\$ 33,004.17
Balance cash on hand, June 30, 1917.....		11,636.32
		<hr/>
		\$ 44,640.49

**Buildings and Grounds Fund:**

Salaries .....	\$ 8,222.62	
Janitor service and supplies.....	28,878.90	
Heating plant supplies.....	30,928.58	
Hydro plant supplies.....	4,381.74	
Fuel.....	49,391.63	
Gas, electricity, ice and garbage.....	1,808.34	
Water, laundry.....	2,078.70	
Telephones.....	1,578.90	
Miscellaneous expenses.....	1,297.46	
<b>Total expenditures.....</b>		<b>\$ 108,486.57</b>

Expenditures for special purposes, not connected with the "erection, equipment, improvement and repair of buildings" or going to make up the Support Fund of the University, during the year which commenced July 1, 1916, and ended June 30, 1917.

**Library Fund:**

Expended for books, periodicals and binding as set out in Secretary's Annual Report.....	\$ 17,337.64	
Balance cash on hand, June 30, 1917.....	1,852.12	
		<b>\$ 19,189.76</b>

**University Extension Fund:**

Expended for salaries, traveling expenses, lantern slides, etc., as set out in secretary's printed annual report.....	\$ 21,613.55	
Balance cash on hand, June 30, 1917.....	2,710.00	
		<b>\$ 24,323.55</b>

**University Epidemiology Laboratory Fund:**

Expended for salaries and laboratory expenses as set out in Secretary's Annual Report.....	\$ 5,058.59	
Balance cash on hand, June 30, 1917.....	91.17	
		<b>\$ 5,149.76</b>

**Paving and Sidewalks Fund:**

Expended for paving walks, etc.....		3,028.70
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**Enlarged Heating Plant Fund:**

Expended for heating plant improvements.....		9,472.96
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**Tunnel to New Buildings:**

Expended on tunnel work.....		169.63
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**Special Land Fund:**

Expended for land as set out in Secretary's printed Annual Report.....	\$ 1,306.21	
Balance cash on hand, June 30, 1917.....	625.63	
		<b>\$ 1,831.84</b>

**Donated Land Fund:**

Balance cash on hand, June 30, 1917.....		\$ 550.01
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Expenditures from hospital, dormitory and store house accounts for the year which commenced July 1, 1916, and ended June 30, 1917.

**University Hospital:**

Salaries .....	\$ 32,639.06	
Help .....	21,577.05	
Provisions .....	65,088.04	
Household .....	45,416.11	
Medicine .....	8,226.33	
X-ray supplies.....	2,143.13	
Hospital Pathologist.....	179.74	
Hospital school.....	939.51	
Orthopedic supplies.....	765.74	
Hospital tent ward.....	176.33	
<b>Total expenditures.....</b>		<b>\$ 177,152.04</b>

**University Homeopathic Hospital:**

Salaries .....	\$ 2,386.01	
Help .....	1,786.75	
Provisions .....	6,907.27	
Household .....	2,916.58	
Medicine .....	507.94	
<b>Total expenditures.....</b>		<b>\$ 14,504.55</b>

**Currier Hall:**

Household .....	\$ 9,610.46	
Dining room.....	20,064.90	
Added improvements.....	15,134.72	
<b>Total expenditures.....</b>		<b>\$ 44,809.08</b>

Balance on hand, June 30, 1917.....	5,174.00	\$ 55,974.14
Store House:		
Purchases and expenditures as set out in Secretary's Printed Annual Report.....	100,288.72	
Balance overdrawn July 1, 1918.....	4,043.72	\$ 104,322.44

## AMOUNT RECEIVED FROM STATE APPROPRIATIONS.

36th G. A., S. F. 288, Sec. 1.:		
Educational Support Fund.....	\$ 454,700.00	
College of Applied Science, etc., Fund.....	66,350.00	
College of Education Fund.....	20,000.00	
College of Dentistry Fund.....	23,725.00	
College of Fine Arts Fund.....	3,000.00	
Graduate College Fund.....	9,000.00	
Summer Session Fund.....	16,000.00	
Administration Fund.....	6,225.00	
Buildings and Grounds Fund.....	12,000.00	
Equipment and Supplies Fund.....	12,500.00	
Repair and Contingent Fund.....	35,000.00	
Library Fund.....	17,500.00	
University Extension Fund.....	17,000.00	
University Epidemiology Laboratory Fund.....	5,000.00	\$ 700,000.00
Building Fund:		
(36th G. A., H. F. 248, Sec. 1.).....	\$ 125,000.00	
Special Purposes:		
(36th G. A., S. F. 242, Sec. 1.)—		
Building Equipment Fund.....	\$ 22,500.00	
Electrical Equipment Fund.....	5,000.00	
Paving and Sidewalks Fund.....	3,000.00	
Total state appropriations.....	\$ 855,500.00	

## STAFF OF INSTRUCTION.

1916-1917.

President.....	1
President Emeritus.....	1
Deans.....	8
Professors.....	59
Associate professors.....	14
Assistant professors.....	56
Instructors.....	96
Assistants.....	81
Lecturers.....	6

## NUMBER OF STUDENTS.

Enrolled During Regular Academic Year.

	Men	Women	Total
The Graduate College.....	255	211	466
The College of Liberal Arts.....	945	1,066	2,001
The College of Law.....	138	1	139
The College of Medicine.....	161	3	164
Training School for Nurses.....	---	105	105
The College of Homeopathic Medicine.....	6	1	7
Training School for Nurses.....	---	18	18
The College of Dentistry.....	329	5	334
The College of Pharmacy.....	54	4	58
The College of Applied Science.....	237	---	237
School of Music.....	5	19	24
Library Training.....	---	20	20
	2,130	1,443	3,573
Duplications.....	42	8	50
Total for year 1916-1917.....	2,088	1,455	3,523
Subcollegiate students.....	126	110	236

W. H. BATES, Secretary.

## STATE UNIVERSITY OF IOWA, REPORT OF SECRETARY.

To the Thirty-eighth General Assembly:

Statement of Receipts and Disbursements for the year which commenced July 1, 1917, and ended June 30, 1918.

## RECEIPTS.

Funds for the erection of buildings, etc.....	\$ 202,255.34	
Income Support Funds.....	1,066,778.47	
Special Funds.....	146,817.77	
Total receipts.....		\$1,515,851.58

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 and dormitory funds are not included in the above statement. For account of these funds see pages 10 and 17.

## DISBURSEMENTS.

Funds for the erection of buildings, etc.:		
Building Tax Fund.....	\$ 38,612.17	
Repair and Contingent Fund.....	43,202.94	
Equipment New Buildings Fund.....	82,369.31	
Equipment and Supplies Fund.....	11,051.77	
Engineering Equipment Fund.....	179.27	
Children's Hospital.....	60,608.23	
		\$ 236,093.69
Income Funds:		
Support Fund.....	\$ 75,913.53	
College of Applied Science, etc., Fund.....	428,037.48	
College of Education Fund.....	45,294.32	
College of Dentistry Fund.....	60,319.57	
College of Fine Arts Fund.....	3,424.67	
Graduate College Fund.....	26,471.34	
Summer Session Fund.....	27,868.08	
Administration Fund.....	41,433.46	
Buildings and Grounds Fund.....	150,443.63	
School of Commerce Fund.....	3,242.87	
		862,448.25
Special Funds:		
Library Fund.....	\$ 22,617.94	
University Extension Fund.....	17,907.21	
University Epidemiology Fund.....	4,578.37	
Paving and Sidewalks Fund.....	9,172.29	
Child Welfare Fund.....	10,243.88	
Special Land Fund.....	44,233.42	
		106,843.11
Total Disbursements.....		\$1,207,385.75

## BALANCES IN UNIVERSITY TREASURY, JUNE 30, 1918.

Funds for the erection of buildings, etc.:		
Building Tax Fund.....	\$ 14,736.52	
Repair and Contingent Fund.....	415.80	
Equipment New Buildings Fund.....	32,414.57	
Equipment and Supplies Fund.....	14,227.99	
Children's Hospital Fund.....	4,366.77	
Support Funds:		
Educational Support Fund.....	8,909.06	
College of Applied Science, etc., Fund.....	93,234.83	
College of Education Fund.....	19,018.55	
College of Dentistry Fund.....	13,722.69	
College of Fine Arts Fund.....	16,838.13	
Graduate College Fund.....	11,875.81	
Summer Session Fund.....	6,790.51	
Administration Fund.....	14,366.16	
School of Commerce Fund.....	19,673.78	
Special Funds:		
Library Fund.....	8,222.53	
University Extension Fund.....	7,655.80	
University Epidemiology Fund.....	512.80	
Special Land Fund.....	7,407.96	
Donated Land Fund.....	675.01	
Paving and Sidewalks Fund.....	827.71	
Child Welfare Fund.....	12,672.77	
		\$ 308,465.82

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.....		\$1,515,851.58
Total disbursements, as shown.....	\$1,907,385.75	
Balances, as shown.....	308,465.83	
	\$1,515,851.58	\$1,515,851.58

Amount of moneys available from all sources during the year which commenced July 1, 1917, and ended June 30, 1918, for the erection, equipment, improvement and repair of buildings at the University.

<b>Building Fund:</b>		
Balance in Building Tax Fund, July 1, 1917.....	\$	3,334.67
Received—State Warrants:		
(36th G. A., H. F. 248, Sec. 1).....		50,000.00
Received—Sale of material.....		14.02
		\$ 53,348.69
<b>Repair and Contingent Fund:</b>		
Balance in Fund, July 1, 1917.....	\$	92.96
Received—State Warrants:		
(37th G. A., H. F. 281, Sec. 1).....		7,791.65
(36th G. A., S. F. 288, Sec. 1).....		25,000.00
Received—Sale of material.....		734.13
		43,618.74
<b>Equipment and Supplies Fund:</b>		
Balance in Fund, July 1, 1917.....	\$	9,232.77
Received—State Warrants:		
(37th G. A., H. F. 281, Sec. 1).....		3,298.39
(36th G. A., S. F. 288, Sec. 1).....		12,500.00
Received—Sale of material.....		348.69
		25,289.76
<b>Equipment of New Buildings Fund:</b>		
Balance in Fund, July 1, 1917.....	\$	12,417.88
Received—State Warrants:		
(37th G. A., H. F. 281, Sec. 1).....		100,000.00
Received—Sale of material.....		2,306.00
		114,783.88
<b>Engineering Equipment Fund:</b>		
Balance in Fund, July 1, 1917.....		179.27
<b>Children's Hospital:</b>		
Received—State Warrants:		
(37th G. A., H. F. 347, Sec. 1).....		65,000.00
Received—Sale of material.....		35.00
		65,035.00
<b>Total</b> .....	\$	302,256.34

Receipts from all sources during the year which commenced July 1, 1917, and ended June 30, 1918, going to make up the "Support Funds" of the University, except hospital and dormitory receipts.

<b>Educational Support Fund:</b>		
Received—State Warrants:		
(36th G. A., S. F. 288, Sec. 1).....	\$	454,700.00
Received from tuitions.....		102,561.80
Received from diploma fees.....		4,220.00
Received from Ophthalmology and Otology receipts.....		3,121.53
Received from Engineering Test Laboratory.....		223.99
Received from Law Loan Book receipts.....		327.90
Received from multigraph receipts.....		1,796.59
Received from interest on daily bank balance.....		4,750.95
Received from miscellaneous cash, locker rentals, laboratory breakage, etc.....		11,580.86
Received from interest on Permanent Land Fund.....		14,293.60
Received from Warrants cancelled.....		48.48
	\$	597,545.70
Less amounts transferred from Educational Support Fund to the following funds:		
College of Applied Science, etc., Fund.....	\$344,235.00	
College of Education Fund.....	16,100.00	
College of Dentistry Fund.....	24,810.00	
College of Fine Arts Fund.....	4,500.00	
Graduate College Fund.....	7,250.00	
Summer Session Fund.....	10,000.00	
Administration Fund.....	30,590.00	
Buildings and Grounds Fund.....	128,604.92	
		596,089.92
<b>Net Receipts</b> .....	\$	31,455.78



Balance in Fund, July 1, 1917.....	52,266.81	
		\$ 84,722.59
<b>College of Applied Science, etc., Fund:</b>		
Balance in Fund, July 1, 1917.....	\$ 15,368.91	
Received—State Warrants:		
(37th G. A., H. F. 281, Sec. 1).....	91,666.65	
(36th G. A., S. F. 288, Sec. 1).....	68,350.00	
Received from sale of material.....	651.75	
Received from cancelled Warrants.....	1,000.00	
Received from transfer from Educational Support Fund.....	344,235.00	
		521,272.31
<b>College of Education Fund:</b>		
Balance in Fund, July 1, 1917.....	\$ 13,006.82	
Received—State Warrants:		
(37th G. A., H. F. 281, Sec. 1).....	9,166.65	
(36th G. A., S. F. 288, Sec. 1).....	20,000.00	
Received from sale of material.....	480.50	
Received from tuitions Experimental Schools.....	4,598.00	
Received from cancelled Warrants.....	.90	
Received from transfer from Educational Support Fund.....	16,100.00	
		64,312.87
<b>College of Dentistry Fund:</b>		
Balance in Fund, July 1, 1917.....	\$ 1,439.19	
Received—State Warrants:		
(37th G. A., H. F. 281, Sec. 1).....	9,166.65	
(36th G. A., S. F. 288, Sec. 1).....	23,725.00	
Received, transfer from Educational Support Fund.....	32,810.00	
Received, Dental Clinic receipts.....	14,901.42	
		74,042.26
<b>College of Fine Arts Fund:</b>		
Balance in Fund, July 1, 1917.....	\$ 8,179.50	
Received—State Warrants:		
(37th G. A., H. F. 281, Sec. 1).....	4,583.30	
(36th G. A., S. F. 288, Sec. 1).....	3,000.00	
Received, transfer from Educational Support Fund.....	4,500.00	
		20,262.80
<b>Graduate College Fund:</b>		
Balance in Fund, July 1, 1917.....	\$ 3,544.70	
Received—State Warrants:		
(37th G. A., H. F. 281, Sec. 1).....	18,333.30	
(36th G. A., S. F. 288, Sec. 1).....	9,000.00	
Received from sale of material.....	219.15	
Received, transfer from Educational Support Fund.....	7,250.00	
		38,347.15
<b>Summer Session Fund:</b>		
Balance in Fund, July 1, 1917.....	\$ 4,637.39	
Received—State Warrants:		
(37th G. A., H. F. 281, Sec. 1).....	4,000.00	
(36th G. A., S. F. 288, Sec. 1).....	16,000.00	
Received, cancelled Warrants.....	21.80	
Received, transfer from Educational Support Fund.....	10,000.00	
		34,659.19
<b>Administration Fund:</b>		
Balance in Fund, July 1, 1917.....	\$ 11,636.32	
Received—State Warrants:		
(37th G. A., H. F. 281, Sec. 1).....	7,333.30	
(36th G. A., S. F. 288, Sec. 1).....	6,225.00	
Received, transfer from Educational Support Fund.....	30,500.00	
Received, miscellaneous sources.....	15.00	
		55,799.62
<b>Buildings and Grounds Fund:</b>		
Received—State Warrants:		
(37th G. A., H. F. 281, Sec. 1).....	\$ 7,791.65	
(36th G. A., S. F. 288, Sec. 1).....	12,000.00	
Received from sale of material.....	2,045.46	
Received, transfer from Educational Support Fund.....	128,604.92	
		150,442.03
<b>School of Commerce Fund:</b>		
Received—State Warrants:		
(37th G. A., H. F. 281, Sec. 1).....		22,916.65
Total .....		\$1,066,778.47

Amount of moneys available for special purposes, not connected with "erection, equipment, improvement and repair of buildings" or going to make up the "Support Fund" of the University during the year which commenced July 1, 1917, and ended June 30, 1918.

**Library Fund:**

Balance in Fund, July 1, 1917.....\$ 1,852.12

Received—State Warrants:		
(37th G. A., Chap. 281, Sec. 1).....	11,458.30	
(36th G. A., S. F. 288, Sec. 1).....	17,500.00	
Received, sale of material.....	29.12	
Received, cancelled Warrants.....	3.02	
		\$ 30,840.46
University Extension Fund:		
Balance in Fund, July 1, 1917.....	\$ 2,710.00	
Received—State Warrants:		
(37th G. A., Chap. 281, Sec. 1).....	4,583.30	
(36th G. A., S. F. 288, Sec. 1).....	17,000.00	
Received, sale of material.....	767.80	
Received, Correspondence Courses.....	592.00	
		25,653.10
University Epidemiology Laboratory Fund:		
Balance in Fund, July 1, 1917.....	\$ 91.17	
Received—State Warrants:		
(36th G. A., S. F. 288, Sec. 1).....	5,000.00	
		5,091.17
Paving and Sidewalks Fund:		
Received—State Warrants:		
(37th G. A., Chap. 281, Sec. 2).....		10,000.00
Child Welfare Fund:		
Received—State Warrants:		
(37th G. A., Chap. 281, Sec. 2).....		22,916.65
Special Land Fund:		
Balance in Fund, July 1, 1917.....	\$ 625.63	
Received, rents.....	1,004.50	
Received—State Warrants:		
(Chap. 281, Sec. 2).....	50,000.00	
Received, cancelled Warrants.....	11.25	
		51,641.38
Donated Land Fund:		
Balance in Fund, July 1, 1917.....	\$ 550.01	
Received, rents.....	125.00	
		675.01
		\$ 146,817.77

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, 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, dormitory and store house receipts at the University for the year which commenced July 1, 1917, and ended June 30, 1918.

University Hospital:		
Peck's earnings.....	\$ 112,813.27	
Hospital earnings.....	95,648.31	
Nurses' earnings outside of Hospital.....	212.40	
Operating room fees.....	7,241.00	
Vaccines and Wasserman's.....	948.00	
	\$ 216,861.98	
Balance overdrawn, June 30, 1918.....	19,281.08	
		\$ 236,143.06
Currier Hall:		
Credit balance, July 1, 1917.....	\$ 5,174.06	
Room rents.....	17,692.39	
Board.....	31,869.90	
		\$ 54,736.35
University Homeopathic Hospital:		
Hospital earnings.....	\$ 9,293.57	
Nurses' earnings outside of Hospital.....	181.50	
Operating room fees.....	1,079.00	
	\$ 10,554.07	
Balance overdrawn, June 30, 1917.....	6,441.71	
		\$ 16,995.78
Store House:		
Charges to various departments for year 1917-1918.....	\$ 113,251.33	
Miscellaneous cash receipts.....	592.24	
	\$ 113,843.57	
Balance overdrawn, June 30, 1917.....	13,968.27	
		\$ 127,801.84

The above store house overdraft is covered by stock and fixtures on hand, \$40,572.12.

Expenditures from funds for the "erection, equipment, improvement and repair of buildings" at the University during the year which commenced July 1, 1917, and ended June 30, 1918.

**Building Fund:**

Dental Building.....	\$ 34,947.56	
Isolation Hospital.....	3,600.60	
New Armory.....	64.01	
<b>Total expenditures.....</b>	<b>\$ 38,612.17</b>	
Balance on hand, June 30, 1918.....	14,736.62	\$ 53,348.79

**Repair and Contingent Fund:**

General repairs.....	\$ 5,970.18	
Plumbing repairs.....	1,221.26	
Electric repairs.....	4,178.08	
Heating repairs.....	2,252.92	
Lighting repairs.....	1,525.34	
Painting repairs.....	1,134.50	
Boiler repairs.....	3,969.34	
Building repairs.....	2,522.67	
Roof repairs.....	1,295.40	
Sewer repairs.....	49.29	
Tunnel repairs.....	202.67	
Armory repairs.....	141.18	
Elevator repairs.....	53.21	
Currier Hall—Ball House repairs.....	133.86	
Presidents' home repairs.....	103.42	
Hydro Plant repairs.....	1,240.61	
Heating Plant repairs.....	3,134.78	
Old Dental Building repairs.....	6,112.69	
Medical Building repairs.....	84.96	
Carpenter shop repairs.....	37.35	
Water service repairs.....	15.74	
Sidewalks and grading.....	359.70	
University Hospital repairs.....	4,330.10	
Store house repairs.....	294.68	
Care of athletic field.....	549.69	
Care of campus.....	1,428.57	
Care of tennis courts.....	61.55	
Hauling cinders.....	574.32	
Isolation Hospital repairs.....	61.63	
Homeopathic Hospital repairs.....	474.55	
<b>Total expenditures.....</b>	<b>\$ 49,202.94</b>	
Balance cash on hand, June 30, 1918.....	415.80	\$ 49,618.74

**Equipment and Supplies Fund:**

College of Applied Science equipment.....	\$ 1,856.51	
College of Liberal Arts equipment.....	1,791.53	
College of Pharmacy equipment.....	3,439.99	
University Homeopathic Hospital equipment.....	163.04	
Multigraph equipment.....	194.04	
General equipment.....	800.34	
Isolation Hospital equipment.....	2,812.69	
Superintendent's office.....	3.33	
<b>Total expenditures.....</b>	<b>\$ 11,061.77</b>	
Balance cash on hand, June 30, 1918.....	14,227.99	\$ 25,289.76

**Equipment New Buildings Fund:**

University Hospital equipment.....	\$ 3,087.61	
Homeopathic Hospital equipment.....	566.42	
College of Applied Science equipment.....	424.21	
College of Liberal Arts equipment.....	135.81	
University High School equipment.....	1,237.79	
Elementary School equipment.....	675.47	
College of Pharmacy equipment.....	10.24	
University Library cases.....	71.12	
Law Library cases.....	1,078.40	
College of Dentistry equipment.....	69,507.49	
President's home equipment.....	517.79	
Men's Gymnasium equipment.....	44.97	
Water system.....	2,447.25	
Heating and Hydro Plant repairs.....	2,574.74	
<b>Total expenditures.....</b>	<b>\$ 82,369.31</b>	
Balance cash on hand, June 30, 1918.....	32,414.57	\$ 114,783.88

**Engineering Equipment Fund:**

College of Applied Science equipment.....		\$ 179.27
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## Children's Hospital Fund:

Children's Hospital.....	\$ 60,068.23	
Balance cash on hand, June 30, 1918.....	4,366.77	\$ 65,035.00

Expenditures from Support Fund for the year which commenced July 1, 1917, and ended June 30, 1918.

## Educational Support Fund:

Law Loan Book Account expenditures.....	\$ 141.13	
Engineering Testing Laboratory.....	198.40	
Tuition refunded.....	30.00	
School of Music tuitions.....	8,825.78	
Fixed charges, or general expenditures, such as bulletins, catalogues, printing, postage, etc.....	40,965.43	
University Hospital overdraft.....	19,281.08	
Homeopathic Hospital overdraft, 1915-1916, 1916-1917.....	6,441.71	
Total expenditures.....	\$ 75,913.53	
Balance cash on hand, June 30, 1917.....	8,720.06	\$ 84,633.59

## College of Applied Science, Liberal Arts, etc., Fund:

College of Liberal Arts:		
Salaries .....	\$ 218,873.83	
Supplies .....	21,587.51	\$ 240,461.34
College of Applied Science:		
Salaries .....		42,302.50
College of Law:		
Salaries .....	\$ 21,700.00	
Supplies, etc.....	1,498.82	23,198.82
College of Medicine:		
Salaries .....	\$ 84,074.86	
Supplies, etc.....	11,644.14	95,719.00
College of Homeopathic Medicine:		
Salaries .....	\$ 4,700.00	
Supplies, etc.....	10.19	4,710.19
Library:		
Salaries .....	\$ 9,625.00	
Supplies and assistance.....	2,660.63	12,285.63
College of Pharmacy:		
Salaries .....	\$ 8,960.00	
Supplies, etc.....	450.00	9,400.00
Total expenditures.....		\$ 428,037.48
Balance cash on hand, June 30, 1918.....		93,234.83
		\$ 521,272.31

## College of Education Fund:

Department of Education:		
Salaries .....	\$ 16,715.04	
Supplies, etc.....	1,077.12	
Traveling expenses.....	1,316.71	
Superintendents' meeting.....	425.00	\$ 19,533.87
Model School:		
Salaries .....	\$ 12,933.50	
Supplies .....	3,807.19	16,740.69
Experimental School:		
Salaries .....	\$ 6,930.50	
Supplies .....	2,080.25	9,019.75
Total expenditures.....		\$ 48,294.32
Balance cash on hand, June 30, 1918.....		19,018.55
		\$ 64,312.87

## College of Dentistry Fund:

Salaries .....	\$ 44,569.80	
Supplies, etc. ....	15,869.71	
Total expenditures.....		\$ 60,439.51
Balance cash on hand, June 30, 1918.....		13,722.69
		\$ 74,162.20

## College of Fine Arts Fund:

Salaries .....	\$ 3,000.00	
Supplies .....	424.67	
Balance cash on hand, June 30, 1918.....		\$ 3,424.67
		16,838.13
		\$ 20,262.80

## Graduate College Fund:

Fellowships and Scholarships.....	\$ 7,830.00	
Research assistants.....	8,792.35	
Supplies and expenses.....	9,848.99	
Balance cash on hand, June 30, 1918.....		\$ 26,471.34
		11,875.81
		\$ 38,347.15

## Summer Session:

Salaries, first session.....	\$ 19,310.50	
Salaries, second session.....	5,010.00	
Supplies, etc.....	3,548.18	
Balance cash on hand, June 30, 1918.....		\$ 27,868.68
		6,790.51
		\$ 34,659.19

## Administration Fund:

Salaries .....	\$ 36,577.63	
Supplies and assistance.....	4,856.83	
Balance cash on hand, June 30, 1918.....		\$ 41,433.46
		14,366.16
		\$ 55,799.62

## Buildings and Grounds Fund:

Salaries .....	\$ 9,404.10	
Janitor service and supplies.....	32,828.16	
Heating plant service and supplies.....	13,024.15	
Hydro plant service and supplies.....	3,092.75	
Fuel .....	85,793.17	
Gas, electricity, ice and garbage.....	1,770.98	
Water, laundry.....	1,412.94	
Telephones .....	1,664.45	
Miscellaneous expenses.....	851.33	
Total expenditures.....		\$ 150,443.03

## School of Commerce Fund:

Salaries .....	\$ 2,559.00	
Supplies .....	683.87	
Total expenditures.....		\$ 3,242.87
Balance cash on hand, June 30, 1918.....		19,673.78
		\$ 22,916.65

Expenditures for special purposes, not connected with the "erection, equipment, improvement and repair of buildings" or going to make up the Support Fund of the University, during the year which commenced July 1, 1917, and ended June 30, 1918.

## Library Fund:

Expended for books, periodicals and binding as set out in Secretary's Annual Report.....	\$ 22,617.04	
Balance cash on hand, June 30, 1918.....	8,222.52	
		\$ 30,840.46

## University Extension Fund:

Expended for salaries, traveling expenses, lantern slides, etc., as set out in Secretary's Printed Annual Report.....	\$ 17,967.21	
Balance cash on hand, June 30, 1918.....	7,655.89	
		\$ 25,623.10

## University Epidemiology Laboratory Fund:

Expended for salaries and laboratory expenses as set out in Secretary's Annual Report.....	\$ 4,578.37	
Balance cash on hand, June 30, 1918.....	512.80	
		\$ 5,091.17

Paving and Sidewalks Fund:		
Expended for paving walks, etc.....	\$ 9,172.29	
Balance cash on hand, June 30, 1918.....	827.71	\$ 10,000.00
Special Land Fund:		
Expended for land as set out in Secretary's printed Annual Report.....	\$ 44,233.42	
Balance cash on hand, June 30, 1918.....	7,407.96	\$ 51,641.38
Donated Land Fund:		
Expended for salaries and expenses in connection with Child Welfare Research Station.....	\$ 10,243.88	
Balance cash on hand, June 30, 1918.....	12,672.77	\$ 22,916.65

Expenditures from hospital, dormitory and store house accounts for the year which commenced July 1, 1917, and ended June 30, 1918.

University Hospital:		
Administration.....	\$ 12,742.57	
Professional care of patients.....	28,274.79	
Steward's Department.....	85,617.79	
Housekeeping.....	63,038.21	
Medical and surgical supplies.....	31,454.97	
X-ray supplies.....	7,497.28	
Hospital School.....	2,066.48	
Orthopedic Department.....	6,252.06	
Pathological Laboratories.....	1,064.82	
General house and property expense.....	7,204.09	
Total expenditures.....		\$ 236,143.06
University Homeopathic Hospital:		
Salaries.....	\$ 2,255.00	
Help.....	1,719.54	
Provisions.....	8,396.87	
Household.....	4,175.80	
Medicine.....	457.57	
Total expenditures.....		\$ 16,995.78
Currier Hall:		
Household.....	\$ 9,564.01	
Dining room.....	26,873.43	
Added improvements.....	19,992.46	
Total expenditures.....	\$ 47,728.90	
Balance on hand, June 30, 1918.....	6,997.45	\$ 54,726.35
Store House:		
Purchases and expenditures as set out in Secretary's Printed Annual Report.....	\$ 121,285.73	
Balance overdrawn, July 1, 1917.....	6,516.11	\$ 127,801.84

#### AMOUNT RECEIVED FROM STATE APPROPRIATIONS.

36th G. A., S. F. 288, Sec. 1.:

Educational Support Fund.....	\$ 454,700.00	
College of Applied Science, etc., Fund.....	160,016.65	
College of Education Fund.....	29,166.65	
College of Dentistry Fund.....	32,891.65	
College of Fine Arts Fund.....	7,583.30	
Graduate College Fund.....	27,333.30	
Summer Session Fund.....	20,000.00	
Administration Fund.....	13,558.30	
Buildings and Grounds Fund.....	19,791.65	
Equipment and Supplies Fund.....	15,708.30	
Repair and Contingent Fund.....	42,791.65	
Library Fund.....	28,958.30	
University Extension Fund.....	21,583.30	
University Epidemiology Laboratory Fund.....	5,000.00	
School of Commerce Fund.....	22,916.65	
Child Welfare Fund.....	22,916.65	
		\$ 924,916.35

Building Fund:

(36th G. A., H. F. 248, Sec. 1).....		\$ 50,000.00
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Children's Hospital: (37th G. A., H. F. 347, Sec. 1).....	66,000.00
Special Purposes: (36th G. A., S. F. 242, Sec. 1.)—	
Building Equipment Fund.....	\$ 100,000.00
Purchase of Land Fund.....	50,000.00
Paving and Sidewalks Fund.....	10,000.00
Total state appropriations.....	\$1,199,916.35

## STAFF OF INSTRUCTION.

1917-1918.

President.....	1
President Emeritus.....	1
Deans.....	10
Professors.....	54
Associate professors.....	19
Assistant professors.....	42
Instructors.....	162
Assistants.....	56
Lecturers.....	5

## NUMBER OF STUDENTS.

Enrolled During Regular Academic Year.

	Men	Women	Total
The Graduate College.....	234	241	475
The College of Liberal Arts.....	789	1,055	1,844
The College of Law.....	79	3	82
The College of Medicine.....	226	8	234
Training School for Nurses.....		159	159
The College of Homeopathic Medicine.....	8	2	10
Training School for Nurses.....		16	16
The College of Dentistry.....	260	3	272
The College of Pharmacy.....	35	6	41
The College of Applied Science.....	190		190
School of Music.....	5	27	32
Library Training.....		23	23
	1,835	1,543	3,378
Duplications.....	55	20	75
Total for year 1916-1917.....	1,780	1,523	3,303
Subcollegiate students.....	184	168	352

W. H. BATES, Secretary.

## IOWA STATE COLLEGE, REPORT OF SECRETARY.

Report on the finances of the Iowa State College of Agriculture and Mechanic Arts, Ames, Iowa, for the biennial period ended June 30, 1918:

## I. BALANCES ON HAND, JULY 1, 1918.

## (a) For Educational Work.

In hands of College Treasurer:

## Collegiate Support Fund:

General for departments (including working balance of \$30,000 and unexpended appropriations for equipment).....	\$ 90,602.87
Piano rentals, special for music department.....	607.95
Scholarship funds, subject to special provisions.....	1,304.87
Books and periodicals, special for Library.....	1,917.25
	\$ 94,522.94

## Non-collegiate Support Fund:

Agriculture.....	\$ 15,466.57
Home Economics.....	1,310.47
Engineering Trade School.....	3,274.84
	20,051.88

Vacation Courses:			
Winter Short Course.....	\$	3,073.86	
Veterinary Practitioners' Course.....		3,381.17	
			6,455.03
Buildings, Improvements and Equipment:			
Special Building Fund.....	\$	27,307.88	
Chemistry Building (special appropriation).....		100.00	
Repair and Contingent Fund.....		19,814.35	
Central Heating Plant.....		9.31	
Repairs and improvements for certain buildings.....		442.22	
Enlargement of buildings and small additional buildings.....		138.13	
Temporary Home Economics Laboratories.....		134.77	
Settling and storage water tank.....		8,356.53	
Public grounds maintenance and improvement.....		27.49	
Equipment of departments and buildings.....		2,306.94	
Room Rent Fund.....		8,561.27	
Store room.....		2,636.07	
L. W. Noyes Fund for campus lake.....		289.10	
			70,113.06
Total in College Treasurer's hands, (not including Hospital balance reported elsewhere).....			\$ 121,029.86
In hands of State Treasurer:			
Vacation Courses:			
Veterinary Practitioners' Course (balance undrawn).....			\$ 625.01
Buildings, Improvements and Equipment:			
Special Building Fund.....	\$	150,000.00	
Central Heating Plant (balance undrawn).....		7,383.00	
Equipment of departments and buildings (balance undrawn).....		3,500.00	
Temporary Home Economics Laboratories (balance undrawn).....		50.00	
Repairs and improvements for certain buildings (balance undrawn).....		7,250.00	
			168,183.00
			168,808.01
(b) For Industrial Service.			
In hands of College Treasurer:			
Extension Funds:			
Agriculture and Home Economics.....	\$	17,174.34	
Engineering.....		6,543.68	
			\$ 23,718.02
Experiment Funds:			
Agricultural Experiment Station.....	\$	16,056.83	
Engineering Experiment Station.....		56.40	
Good roads experimentation.....		114.62	
Veterinary investigations.....		6,731.44	
Horse-breeding experiment.....		6.60	
			22,965.89
Hog Cholera Serum Fund.....			32,382.93
			79,066.53
Grand total in hands of College and State Treasurers.....			\$ 439,017.85
Amount in hands of College Treasurer (not including Hospital Fund balance, reported elsewhere).....	\$	270,209.84	
Balance in hands of State Treasurer.....		168,808.01	
			\$ 439,017.85

## II. ADDITIONAL FUNDS AVAILABLE DURING THE BIENNIAL PERIOD 1916-1918.

### (a) For the Fiscal Year 1916-1917.

#### For Educational Work:

##### Collegiate Support Fund:

From national government.....		\$ 85,417.36	
From annual state appropriations.....	\$	510,000.00	
From annual state appropriation for Home Economics Courses (% of \$20,000).....		16,000.00	
			526,000.00
Tuition from non-resident students.....		14,948.96	
Scholarship funds and special to be used according to terms of trust.....		1,736.84	
Interest on Treasurer's balance.....		3,588.41	
Cancelled checks.....		31.48	
			\$ 631,722.07



## Non-collegiate Support Fund:

Annual state appropriation .....	\$ 54,000.00	
From annual state appropriation for Home Economics courses (1/2 of \$20,000).....	4,000.00	
Part of annual appropriation for Engineering Extension assigned to Trade School work.....	4,000.00	
Cancelled checks.....	5.30	
		<u>62,005.30</u>

## Vacation Courses:

From State:		
For Summer Session.....	\$ 20,000.00	
For Winter Short Courses.....	9,500.00	
For Veterinary Practitioners' Course.....	2,500.00	
		<u>32,000.00</u>

## Laboratory and Incidental Fees:

Fees charged students for cost of Laboratory materials and portion of cost of heat, light and janitor service (Hospital fees reported elsewhere) .....		107,108.82
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## Building, Improvement and Equipment Funds:

Special Building Fund.....	\$ 150,000.00	
Repairs and minor improvements.....	40,000.00	
Repairs for definite buildings, small buildings and additions to buildings.....	13,250.00	
Additional equipment and furnishings for buildings and departments.....	52,500.00	
Temporary provision for Home Economic Laboratories.....	750.00	
Public grounds, maintenance and improvement.....	10,000.00	
Room Rent Fund.....	17,241.07	
Contribution of L. W. Noyes for construction of lake on campus.....	2,000.00	
		<u>291,741.07</u>

## For Industrial Service:

## Extension Funds:

For Agriculture and Home Economics:		
From national government—Smith-Lever Fund.....	\$ 44,432.16	
From State—annual appropriation.....	90,000.00	
		<u>\$ 134,432.16</u>

## For Engineering:

Annual state appropriation less amount set aside for Trade School work at the College.....	21,000.00	155,432.16
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## Experimental Funds:

## Agricultural Experiment Station:

From national government.....	\$ 30,000.00	
From state.....	115,500.00	
		<u>\$ 145,500.00</u>

## Engineering Experiment Station:

Annual state appropriation.....	15,000.00	
Good Roads Experimentation:		
Annual state appropriation.....	10,000.00	
Veterinary Investigation:		
Annual state appropriation.....	12,500.00	
		<u>183,000.00</u>

Total from all sources for 1916-1917..... \$1,453,009.47

(b) For the Fiscal Year 1917-1918.

## For Educational Work:

## Collegiate Support Fund:

From national government.....	\$ 83,904.34	
From annual state appropriations.....	618,000.00	
From annual state appropriations for Home Economics Courses (1/2 of \$20,000).....	16,000.00	
		<u>694,000.00</u>
Tuition from non-resident students.....	11,709.84	
Scholarships and special funds to be used according to terms of trust.....	1,580.00	
Interest on Treasurer's balances.....	3,045.05	
Cancelled checks.....	114.42	
		<u>\$ 734,353.65</u>

Non-collegiate Support Funds:			
Annual state appropriation.....	\$	57,000.00	
Special appropriation for Home Economics (3/4 of \$20,000).....		4,000.00	
Part of annual appropriation for Engineering Extension assigned to Trade School.....		1,350.00	
Cancelled checks.....		9.45	
		<hr/>	62,359.45
Vacation Courses:			
From State:			
For Summer Session.....	\$	25,000.00	
For Winter Short Courses.....		9,500.00	
For Veterinary Practitioners' Course.....		2,500.00	
		<hr/>	37,000.00
Laboratory and Incidental Fees:			
Fees charged students for cost of Laboratory materials and portion of cost of heat, light and janitor service (Hospital fees reported elsewhere).....			82,783.71
Building, Improvement and Equipment Funds:			
Special Building Fund.....	\$	50,000.00	
Repairs and minor improvements.....		50,000.00	
Enlargement of buildings.....		7,500.00	
Equipment and furnishings for buildings and departments.....		87,500.00	
Repairs and improvements for certain buildings.....		2,500.00	
Sewer construction.....		15,000.00	
Extension of heating system.....		25,000.00	
Armory.....		125,000.00	
Purchase of Animal Husbandry farm and equipment.....		75,000.00	
Public grounds, maintenance and improvements.....		15,000.00	
Room Rent Fund.....		16,530.01	
		<hr/>	469,030.01
For Industrial Service:			
Extension Funds:			
For Agriculture and Home Economics:			
From national government.....	\$	60,683.14	
From annual state appropriation.....		90,000.00	
For inspection of apiaries.....		1,500.00	
		<hr/>	\$ 151,583.14
For Engineering:			
Annual state appropriation (less amount set aside for Trade School work at the College).....		23,650.00	
		<hr/>	175,233.14
Experimental Funds:			
Agricultural Experiment Station:			
From national government.....	\$	30,000.00	
From state (annual).....		115,000.00	
Appropriation for soil survey.....		50,000.00	
Purchase of Patten property.....		10,000.00	
		<hr/>	\$ 205,000.00
Engineering Experiment Station.....		15,000.00	
Good roads experimentation.....		10,000.00	
Veterinary investigations.....		12,500.00	
		<hr/>	232,000.00
Total from all sources 1917-1918.....			<hr/> <hr/> \$1,803,759.06

## III. EXPENDITURES.

(a) For the Fiscal Year 1916-1917.

## For Educational Work:

## Collegiate Support Funds:

Salaries, including administrative officers.....	\$	429,052.51	
Department expenses.....		137,282.64	
Equipment and improvements.....		48,423.82	
Scholarship and other trust funds.....		4,734.96	
Administrative and general expenses.....		53,526.68	
Maintenance of buildings and grounds (including heat, light, janitor service, student repair fund, care and improvement of public grounds		90,395.42	
		<hr/>	\$ 763,395.03

## Non-collegiate Support Funds:

Agriculture:			
Salaries .....	\$	36,187.34	
Current expenses and equipment.....		17,519.11	
			\$ 53,706.45
Home Economics:			
Salaries .....	\$	2,906.66	
Current expenses and equipment.....		1,422.51	
			4,329.17
Engineering Trade School:			
Salaries .....	\$	3,137.50	
Current expenses and equipment.....		1,301.01	
			4,438.51
			62,534.13
Vacation Courses:			
Summer School.....	\$	19,561.06	
Winter Short Courses.....		8,830.29	
Veterinary Practitioners' Course.....		5,096.08	
			33,487.43
Building, Improvement and Equipment Funds:			
Special Building Tax:			
West Hall.....	\$	496.55	
Horticultural Laboratory.....		.65	
East Hall.....		14,893.50	
Science Building.....		11,675.29	
Dairy barn.....		88.58	
Animal Husbandry Laboratory.....		53.31	
			\$ 27,207.88
Special Building Fund:			
Steam and Gas Laboratory.....	\$	240.73	
West Hall.....		70.69	
Horticultural Laboratory.....		57.58	
East Hall.....		6,559.69	
Science Building.....		9,083.66	
Science Building plumbing.....		210.14	
Hospital.....		37,332.52	
Dairy barn.....		14,398.67	
South Hall.....		33,673.40	
Animal Husbandry Laboratory.....		34,975.73	
			126,602.72
Chemistry Building.....		100.00	
Repair and Contingent Fund.....		1,587.39	
Repairs and minor improvements.....		48,080.47	
Settling and storage water tank.....		8,356.53	
Maintenance and improvement of public grounds.....		9,002.53	
Heating Plant equipment.....		9.31	
Heating system and plant.....		625.10	
Temporary Home Economics Laboratories.....		543.39	
Additional buildings.....		138.13	
Equipment of departments and buildings.....		405.16	
Additional equipment.....		37,891.00	
Repairs and Improvements.....		10,065.80	
Lake on campus (L. W. Noyes Fund).....		1,567.26	
Room Rent Fund.....		9,173.59	
Store room.....		720.23	
			282,766.49
For Industrial Service:			
Extension Funds:			
Agriculture and Home Economics:			
Salaries .....	\$	103,166.64	
Current expenses and equipment.....		47,561.10	
			\$ 150,727.74
Engineering:			
Salaries .....	\$	12,783.91	
Current expenses and equipment.....		6,069.24	
			18,853.15
			169,610.89
Experiment Funds:			
Agricultural Experiment Station:			
Salaries .....	\$	73,800.80	
Current expenses and equipment.....		64,438.76	
			\$ 138,239.56
Engineering Experiment Station:			
Salaries .....	\$	8,678.63	
Current expenses and equipment.....		6,280.49	
			14,959.12

Good Roads Experimentation:		
Salaries	\$ 4,701.22	
Current expenses and equipment	5,042.51	
		9,743.83
Horse-breeding experiment		6.69
Veterinary Investigations:		
Salaries	\$ 4,923.71	
Current expenses and equipment	2,874.02	
		7,797.73
Hog Cholera Serum Fund:		
Current expenses		14,874.84
		<u>356,230.05</u>
Total expenditures for 1916-1917		81,503,353.13

(b) For the Fiscal Year 1917-1918.

## For Educational Work:

## Collegiate Support Funds:

Salaries, including administrative officers	\$ 420,721.68	
Department expenses	132,001.64	
Equipment and improvements	5,845.78	
Scholarship and other trust funds	1,954.14	
Administrative and general expenses	56,283.66	
Maintenance of buildings and grounds (including heat, light, janitor service, student repair fund, care and improvement of public grounds	97,753.03	
		<u>\$ 720,659.93</u>

## Non-collegiate Support Funds:

## Agriculture:

Salaries	\$ 25,865.51	
Current expenses and equipment	12,563.09	
		<u>\$ 48,548.60</u>

## Home Economics:

Salaries	\$ 3,082.22	
Current expenses and equipment	900.00	
		<u>3,982.22</u>

## Engineering Trade School:

Salaries	\$ 1,826.67	
Current expenses and equipment	1,042.44	
		<u>2,869.11</u>

55,401.03

## Vacation Courses:

Summer School	\$ 20,438.94	
Winter Short Courses	8,408.12	
Veterinary Practitioners' Course	2,047.94	
		<u>30,895.00</u>

## Building, Improvement and Equipment Funds:

## Special Building Fund:

Central Building	\$ 464.35	
Science Building plumbing	1,142.97	
Hospital	15,065.67	
Dairy barn	5,512.75	
South Hall	34,928.60	
Animal Husbandry Laboratory	14,845.00	
		<u>\$ 71,967.34</u>

Repairs and minor improvements	44,151.90	
Maintenance and improvement of public grounds	9,307.79	
Heating system and plant	3,276.30	
Sewer construction	12,805.65	
Additional equipment	20,000.78	
Equipment of buildings and departments	30,690.25	
Repairs for barns, pavilions and fences	1,802.19	
Repairs and improvements	7,308.72	
Enlargement of buildings	794.81	
Lake on campus (L. W. Noyes Fund)	653.57	
Room Rent Fund	14,449.12	
Store room	229.02	
		<u>217,657.50</u>

## For Industrial Service:

## Extension Funds:

## Agriculture and Home Economics:

Salaries	\$ 85,611.17	
Current expenses and equipment	58,108.37	
		<u>\$ 143,719.54</u>
Bee Inspection Fund		1,339.39

Engineering:			
Salaries .....	\$	12,056.44	
Current expenses and equipment.....		10,117.38	
			22,173.82
Experiment Funds:			107,232.75
Agricultural Experiment Station:			
Salaries .....	\$	75,526.46	
Current expenses and equipment.....		63,963.04	
			\$ 139,489.50
Soil Surveys:			
Salaries .....	\$	13,283.92	
Current expenses and equipment.....		12,403.12	
			25,687.04
Engineering Experiment Station:			
Salaries .....	\$	8,162.84	
Current expenses and equipment.....		5,561.79	
			13,724.63
Good Roads Experimentation:			
Salaries .....	\$	3,246.87	
Current expenses and equipment.....		4,256.81	
			7,503.68
Purchase of Patten property (Horticultural Experiment Farm).....			10,000.00
Veterinary Investigations:			
Salaries .....	\$	6,202.95	
Current expenses and equipment.....		4,730.63	
			10,933.58
Hog Cholera Serum Fund:			
Current expenses.....			12,599.17
			387,170.35
Total expenditures for 1917-1918.....			\$1,411,783.79

## IV. BALANCES ON HAND JUNE 30, 1918.

## In hands of College Treasurer:

## For Educational Work:

## Collegiate Support Funds:

General for departments.....	\$	11,028.15	
Piano rentals (special for music department).....		3.20	
Scholarship funds (subject to special provisions) .....		310.11	
Books and periodicals (special for library).....		391.57	
Ambulatory Clinic.....		487.69	
John Clay Endowment Fund.....		1,000.00	
			\$ 13,220.72

## Non-collegiate Support Funds:

For Agriculture.....	\$	1,700.79	
For Home Economics.....		937.68	
			2,638.77

## Vacation Courses:

Winter Short Courses.....	\$	326.45	
Veterinary Practitioners' Course.....		195.48	
			521.93

## Buildings, Improvements and Equipment:

Special Building Fund.....	\$	1,439.94	
Repairs and minor improvements .....		2,061.19	
Maintenance and Improvements of Public Grounds .....		50.49	
Heating system and plant.....		281.60	
Temporary Home Economics Laboratories.....		91.38	
Sewer construction.....		33.35	
Equipment of buildings and departments.....		1,339.75	
Repairs to barns, pavilions and fences.....		7.81	
Repairs and improvements.....		1,067.70	
Lake on campus (L. W. Noyes Fund).....		68.27	
Enlargement of buildings.....		305.19	
Room Rent Fund.....		18,709.64	
Store room.....		1,686.82	
			27,043.13
			\$ 43,494.58

## For Industrial Service:

## Extension Funds:

Agriculture and Home Economics.....	\$	42.36	
Bee Inspection.....		160.61	
Engineering .....		1,037.28	
			\$ 1,240.25

## Experiment Funds:

Agricultural Experiment Station.....	\$ 19,702.68	
Soil surveys.....	12.96	
Engineering Experiment Station.....	125.35	
Good roads experimentation.....	1,200.43	
Veterinary investigations.....	500.00	
Hog Cholera Serum Fund.....	4,908.92	
		26,450.43

Total cash in hands of College Treasurer..... \$ 27,690.66

## In hands of State Treasurer:

\$ 71,175.21

## Undrawn balances of appropriations as follows:

## For Educational Work:

## Collegiate Support Funds:

Annual appropriation.....	\$ 42,083.35	
Special appropriation.....	98,000.00	
Books and periodicals (special for library).....	833.35	
		\$ 140,916.70

## Non-collegiate Support Funds:

For Agriculture:		
Annual appropriation.....	\$ 22,500.00	
Special appropriation.....	3,000.00	
For Home Economics:		
Annual appropriation.....	3,333.36	
		28,833.36

## Vacation Courses:

## Summer School:

Special appropriation.....\$ 5,000.00

## Winter Short Courses:

Annual appropriation..... 4,500.00

## Veterinary Practitioners' Course:

Annual appropriation..... 1,666.68

11,166.68

## Buildings, Improvements and Equipment:

New Armory (special appropriation).....	\$ 125,000.00	
Animal Husbandry Farm and equipment (special appropriation).....	75,000.00	
Special Building Fund.....	150,000.00	
Repairs and minor improvements (annual appropriation).....	15,333.34	
Repairs and minor improvements (special appropriation).....	4,000.00	
Maintenance and improvement of public grounds (annual).....	1,666.68	
Maintenance and improvement of public grounds (special).....	5,000.00	
Heating plant and equipment.....	6,700.00	
Heating system and plant.....	21,500.00	
Temporary Home Economics Laboratories.....	300.00	
Sewer construction.....	2,100.00	
Equipment of buildings and departments.....	55,500.00	
Repairs to barns, pavilions and fences.....	600.00	
Repairs and improvements.....	2,500.00	
Enlargement of buildings.....	6,400.00	
		471,600.02

662,516.78

## For Industrial Service:

## Extension Funds:

Agriculture and Home Economics.....	\$ 7,200.00	
Engineering.....	10,416.67	
		\$ 17,616.67

## Experiment Funds:

Agricultural Experiment Station.....	\$ 9,625.00	
Soil surveys.....	24,300.00	
Engineering Experiment Station.....	1,250.00	
Good roads experimentation.....	1,666.68	
Veterinary investigations.....	12,500.04	
		49,341.72

66,958.39

Total balance in hands of the State Treasurer \$ 719,475.15

## V. HOSPITAL ACCOUNT AND SALES OF DEPARTMENTS.

## College Hospital Account.

Receipts:		
Cash on hand, July 1, 1916.....		\$ 5,983.18
Fees and charges paid by students and others during 1916-1917.....	\$ 10,800.38	
Fees and charges paid by students and others during 1917-1918.....	9,664.82	
		<u>20,465.20</u>
		\$ 26,448.38
Expenditures:		
Expenses of maintenance during 1916-1917.....	\$ 14,612.48	
Expenses of maintenance during 1917-1918.....	9,786.76	
		<u>\$ 24,399.24</u>
Cash on hand, June 30, 1918.....		2,049.14
		<u>\$ 26,448.38</u>
Sales of Departments.		
For the fiscal year 1916-1917.....		\$ 231,836.93
For the fiscal year 1917-1918.....		328,708.61
		<u>\$ 560,545.54</u>
(The sales of each department are listed in the Biennial Report of the Board of Education.)		

## SUMMARY.

Receipts:		
Balances in College and State Treasuries, July 1, 1916.....		\$ 439,677.45
Additional funds available in the fiscal year 1916-1917.....	\$1,463,009.47	
Additional funds available in the fiscal year 1917-1918.....	1,803,759.96	
		<u>3,706,446.88</u>
Total funds available during the biennial period from all sources and for all purposes.....		\$3,706,446.88
Expenditures:		
Expended during fiscal year 1916-1917.....	\$1,503,353.13	
Expended during fiscal year 1917-1918.....	1,411,783.79	
		<u>\$2,915,136.92</u>
Balance in hands of College Treasurer, June 30, 1918.....	\$ 71,175.21	
Balance in hands of State Treasurer, June 30, 1918.....	719,475.15	
		<u>790,650.36</u>
		\$3,705,787.28

## VI. NUMBER OF INSTRUCTORS AND ADMINISTRATIVE OFFICERS AND STUDENT ENROLLMENT.

## (a) Instructors and Officers.

	1916-17	1917-18
Collegiate Departments:		
Professors, assistant professors and administrative officers.....	142	147
Instructors and assistants .....	163	141
	<u>305</u>	<u>288</u>
Non-collegiate Departments:		
Professors, assistant professors and administrative officers.....	12	13
Instructors and assistants .....	24	20
	<u>36</u>	<u>33</u>

## (b) Student Enrollment 1916-1917.

Graduate Division:		
Agriculture:		
Agronomy .....	19	
Animal husbandry .....	14	
Dairying .....	7	
Farm management .....	1	
Soils .....	6	46
Engineering:		
Ceramics .....		1
Highway engineering .....		
Home economics .....		1
Industrial science .....		64
Veterinary medicine .....		2
		<u>115</u>
Division of Agriculture:		
Agriculture (freshmen) .....		347
Agricultural education .....		29
Agronomy .....		64
Animal husbandry .....		321

Dairying .....	46	
Farm management .....	31	
Forestry .....	48	
Horticulture .....	24	901
<b>Agricultural engineering .....</b>		<b>74</b>
<b>Division of Engineering:</b>		
Chemical engineering .....	49	
Ceramics .....	7	
Civil engineering .....	152	
Electrical engineering .....	219	
Mechanical engineering .....	147	
Mining engineering .....	8	
Structure design .....	60	
Special engineering .....	30	672
<b>Division of Home Economics .....</b>		<b>552</b>
<b>Division of Industrial Science .....</b>		<b>118</b>
<b>Division of Veterinary Medicine .....</b>		<b>133</b>
<b>Non-collegiate:</b>		
Agriculture .....	184	
Dairying .....	29	
Vocational work in engineering .....	61	
Home economics .....	52	336
		96
<b>Summer school .....</b>		<b>995</b>
<b>Winter Short Courses:</b>		
Agriculture .....	2,469	
Engineering .....	1,026	
Home economics .....	383	
Veterinary practitioners .....	184	4,062
		8,044
<b>Less Duplicates:</b>		
Agriculture .....	3	
Music students .....	69	
Summer session .....	312	
Winter short course .....	191	575
		7,469
<b>Total enrollment of students taking instruction at the College</b>		
<b>STUDENT ENROLLMENT.</b>		
<b>For 1917-18.</b>		
<b>Graduate Division:</b>		
<b>Agriculture:</b>		
Agricultural education .....	1	
Animal husbandry .....	7	
Dairying .....	5	
Farm crops and soils .....	12	
Farm management .....	3	
Horticulture .....	5	33
<b>Agricultural engineering .....</b>		<b>4</b>
<b>Engineering:</b>		
Architectural engineering .....	1	
Mechanical engineering .....	1	2
<b>Industrial science .....</b>		<b>62</b>
<b>Veterinary medicine .....</b>		<b>2</b>
		108
<b>Division of Agriculture:</b>		
Agriculture (freshmen) .....	297	
Agricultural education .....	29	
Animal husbandry .....	241	
Dairying .....	20	
Farm crops and soils .....	50	
Farm management .....	24	
Forestry .....	32	
Horticulture .....	20	704
<b>Agricultural engineering .....</b>		<b>42</b>
<b>Division of Engineering:</b>		
Architectural engineering .....	57	
Ceramics .....	6	
Chemical engineering .....	53	
Civil engineering .....	115	
Electrical engineering .....	190	



Mechanical engineering .....	101	
Mining engineering .....	6	
Special engineering .....	5	538
Division of Home Economics .....		531
Division of Industrial Science .....		85
Division of Veterinary Medicine .....		114
Non-collegiate:		
Agriculture .....	108	
Dairying .....	39	
Vocational work in engineering .....	121	
Home economics .....	42	370
Music students .....		86
Summer school .....		686
Winter Short Courses:		
Agriculture .....	1,975	
Creamerymen .....	110	
Engineering .....	46	
Home economics .....	475	
Veterinary practitioners .....	138	2,634
		5,888
Less duplicates:		
On joint courses .....	31	
Music students .....	67	
Summer Session:		
In both sessions .....	67	
Regular college students .....	200	267
Winter Short Courses:		
In two sections .....	101	
Regular college students .....	29	130
Total enrollment of students taking instruction at the College .....		5,393
	E. W. STANTON, Secretary.	

## IOWA STATE TEACHERS COLLEGE.

*To the Thirty-eighth General Assembly:*

The following is the report from the Iowa State Teachers College as required by Chapter 5-A of the 1913 Supplement to the Code of Iowa, for the biennial period ended June 30, 1918:

Faculty.		
	1916-17	1917-18
President .....	1	1
Head professors .....	19	19
Professors .....	40	35
Assistant professors .....	25	31
Instructors .....	50	30
Assistants .....	29	24
Student assistants .....	7	7
	171	156
Extension Summer Schools.		
	1917	1918
Directors .....	2	3
Teachers .....	15	24
Eight of these extension summer school workers of each year are counted in the above list of faculty, and the others are not.		
Other Employees.		
	1916-17	1917-18
Librarian .....	1	1
Library assistants .....	6	6
Library student assistants .....	20	20
Office secretaries .....	2	2
Office clerks and stenographers .....	18	18
Superintendent of buildings and grounds .....	1	1
Janitors .....	18	18
Engineers and Mechanics .....	22	22
Other employes—Hospital .....	3	3
Dormitory head .....	1	1
Housekeeper .....	1	1
Assistant housekeepers .....	6	6
Clerks .....	3	3
Total .....	273	268

## Enrollment of Students.

	1916-17	1917-18
College graduates .....	68	68
College course students .....	524	472
Diploma Courses:		
Third year .....	13	15
Second year .....	540	518
First year .....	647	553
Special students .....	38	31
Sub-collegiate and rural teacher students.....	2,127	1,597
Special music students .....	64	124
Extension Summer School students, 1917.....		338
Visitors .....	150	73
Total enrollment in institution omitting those counted twice.....	4,171	3,767
Training Schools:		
	1916-17	1917-18
Campus high school and grades.....	319	352
City high school and grades.....	301	498
Rural demonstration schools .....	590	595
Consolidated schools .....	565	804
Total pupils .....	1,866	2,249
Extension Service:		
Study Center enrollment .....	15,005	16,565
Credit Study Center enrollment .....	15	372
Extension Summer School students in 1918.....		584
	15,020	17,521

## SUPPORT OF SCHOOL FOR YEAR, 1916-17.

Amounts on hand in the different funds, July 1, 1916:

Teachers Fund .....		
Building Fund .....	\$	9,709.58
Contingent Fund .....		8,029.29
Summer Term Fund .....		1,921.62
Summer Contingent Fund .....		17,746.12
Commencement Contingent Fund .....		962.99
Students' Contingent Fund .....		30,407.86
General Fund .....		898.20
Hospital Fund .....		582.05
Dormitory Furniture Fund .....		3,567.92
Dormitory Fund .....		6,660.92
Extension Service Fund .....		2,934.70
Librarians' Salary Fund .....		1,464.27
Library Fund .....		1,225.43
Music Fund .....		1,739.50
Millage Fund .....		671.01
		\$ 88,951.42

Received from state appropriations, for one year, 1916-17:

Teachers Fund, permanent .....	\$	139,500.00
Building Fund .....		130,000.00
Contingent Fund, permanent .....		70,000.00
Summer Term Fund, permanent.....		40,000.00
Hospital Fund, permanent .....		2,250.00
Extension Service Fund, permanent.....		19,750.00
Librarians' Salary Fund, permanent.....		8,500.00
Library Fund, permanent .....		5,000.00
		\$ 415,000.00

Received from other sources for one year, 1916-17:

Contingent Fund:		
Independent School District, Cedar Falls, tuition.....	\$	2,268.69
District No. 5, tuition .....		235.55
Difference in drafts (over paid Ashland Mfg. Co.).....		50.25
Order No. 5604, not cashed.....		4.50
	\$	3,578.99
Dormitory Furniture Fund:		
Refund on ten table tops from W. C. F. & N. Ry. Co.....	\$	70.50
Dormitory Fund:		
Room rent .....		10,672.56
Music Fund:		
Private music teachers, fees.....		15,335.86

Students' Contingent Fund:		
Orders Nos. 4872 and 4857, not cashed .....		10.00
Fees collected .....		31,008.53
From County Superintendents Association (I. H. Hart, Treasurer) .....		37.50
		\$ 31,086.03
Summer Contingent Fund:		
Fees collected .....	\$ 12,190.01	
Lecture course .....	93.85	
		\$ 12,283.86
Commencement Contingent Fund:		
Fees collected .....	\$ 818.00	
Steindl concert .....	78.80	
		\$ 896.80
Extension Summer School Contingent:		
Fees collected—		
Atlantic .....	\$ 1,000.00	
Sheldon .....	801.00	
		\$ 1,801.00
Extension Service Fund:		
Order No. 4225 not cashed .....		11.75
General Fund:		
Contingent receipts .....	\$ 1,924.92	
Interest on general daily balance .....	1,910.40	
Hospital receipts .....	631.15	
Library receipts .....	180.83	
Order No. 5472 not cashed .....	37.50	
		\$ 4,684.80
Total .....		\$ 89,302.14

## RESUME.

Amount on hand, July 1, 1916 .....	\$ 88,951.47
From state appropriations .....	415,000.00
From other sources .....	80,952.14
	\$ 584,943.61

## SUPPORT OF SCHOOL FOR YEAR 1917-18.

Received from state appropriations, for one year, 1917-18:

Teachers Fund, permanent .....	\$ 139,500.00	
Teachers Fund, special .....	40,000.00	
		\$ 179,500.00
Contingent Fund, permanent .....	\$ 70,000.00	
Contingent Fund, special .....	39,500.00	
		109,500.00
Summer Term Fund, permanent .....	\$ 40,000.00	
Summer Term Fund, special .....	2,000.00	
		42,000.00
Library Fund, permanent .....	\$ 5,000.00	
Library Fund, special .....	1,000.00	
		6,000.00
Librarians' Salary Fund, permanent .....	\$ 8,500.00	
Librarians' Salary Fund, special .....	1,000.00	
		9,500.00
Hospital Fund, permanent .....	\$ 2,250.00	
Hospital Fund, special .....	1,000.00	
		3,250.00
Extension Service Fund, permanent .....	\$ 19,750.00	
Extension Service Fund, special .....	10,000.00	
		29,750.00
Dormitory Furniture Fund .....		25,000.00
Equipment Training School Building .....		2,000.00
Equipment Vocational Building .....		10,000.00
Extension Summer School Work Fund .....		10,000.00
		\$ 426,500.00

Received from other sources for one year, 1917-18:

Contingent Fund:		
School District No. 4, tuition .....	\$ 380.79	
School District No. 10, tuition .....	124.64	
Coal sold for emergency .....	156.82	
		\$ 662.25
Students' Contingent Fund:		
Fees collected .....	\$ 24,239.41	
Transfer from Contingent, advanced for coal .....	5,958.69	
		\$ 30,198.10

Summer Contingent Fund:		
Fees collected .....	\$ 10,538.27	
Lecture, receipts .....	1,560.68	12,098.95
Commencement Contingent Fund:		
Fees collected .....	\$ 755.00	
Taft banquet .....	480.00	1,235.00
General Fund:		
Contingent receipts .....	\$ 1,575.72	
Interest on daily balances .....	1,743.29	
Hospital receipts .....	509.42	
Library fines .....	136.78	4,055.13
Dormitory Fund:		
Room rent .....		25,799.54
Extension Service Fund:		
Railroad refunds .....		37.11
Extension Summer School Contingent Fund:		
Fees—Sheldon, Iowa .....	\$ 111.96	
Fees—Denison, Iowa .....	575.00	
Fees—Spencer, Iowa .....	900.50	1,677.46
Library Fund:		
Returned draft (Check No. 1077).....		2.40
Music Fund:		
Fees (collected for private music lessons).....		15,554.72
Lost Check Fund .....		9.81
Teachers Fund (Prof. Eells overpaid).....		22.22
Building Fund (transferred from Dormitory Fund).....		960.42
Summer Term Fund (Prof. Van Houten overpaid).....		83.33
Total .....	\$	92,395.43

## RESUME,

Amount on hand July 1, 1917.....	\$ 84,385.31	
From state appropriations .....	426,500.00	
From other sources .....	92,395.43	\$ 603,280.74

## ITEMIZED EXPENDITURES, 1916-17.

Building Fund:		
Second section dormitory .....	\$ 84,460.95	
Vocational building .....	36,882.84	\$ 121,343.79
Millage Fund:		
Repairs .....		671.01
Teachers Fund:		
Salaries of teachers .....		139,500.00
Librarians' Salary Fund:		
Salaries of library employes.....		8,230.42
Library Fund:		
Books and supplies .....		5,550.68
Hospital Fund:		
Expenses running hospital:		
Salaries .....	\$ 1,412.25	
Supplies .....	1,126.91	2,549.16
Summer Term Fund:		
Salaries of teachers .....		41,921.63
Summer Contingent Fund:		
Rural Education Department .....	\$ 76.00	
Lectures and entertainments .....	208.97	
Teachers' salaries .....	2,159.47	2,445.04
Dormitory Furniture Fund:		
Furniture .....		3,182.43

## Commencement Contingent Fund:

Commencement expenses .....	\$	395.00	
Diplomas .....		613.13	
English Department .....		228.50	
Alumni meetings .....		250.00	
			1,487.66

## Dormitory Fund:

Land .....	\$	4,000.00	
Refunds of room rent .....		193.25	
Supplies .....		578.52	
Salaries .....		4,612.46	
			9,384.33

	Students' Contingent Fund	Contingent Fund	Total
Salaries, Superintendent's Dept. ....	\$ 835.00	\$ 21,125.81	\$ 21,960.81
Salaries, office .....	2,883.40	11,500.44	14,383.84
Salary and expenses—McClenahan .....	269.48		269.48
Salary and expenses—Poster .....	923.64		923.64
Fuel .....	5,070.53	14,283.59	19,354.12
Superintendent's Department .....	1,292.64	8,656.46	10,049.10
Printing .....	61.25	3,029.94	3,091.19
Office expenses .....	507.10	3,173.42	3,680.52
General use of departments .....	4,882.26	1,295.54	6,148.80
Advertising .....		479.25	479.25
Home Economics .....	198.29	2,406.11	2,604.37
Physics and chemistry .....	192.58	841.92	1,034.50
Training school .....	528.00	1,139.07	1,667.07
Natural science .....	189.24	353.85	542.09
Manual training .....	128.70	702.23	830.93
Music .....	419.62	691.13	1,080.75
Orchestral Department .....	271.71	287.56	559.27
Telephone and telegraph .....	61.39	309.11	460.50
Physical education .....	219.42	1,514.15	1,733.57
Athletics .....	332.65	1,252.03	1,584.68
Rural education .....	362.86	2,016.70	2,379.56
Commercial .....	29.35	76.31	105.66
Art .....		5.68	5.68
Government .....	1.00	18.00	19.00
Economics .....		9.50	9.50
Education .....	22.50	224.57	257.07
English .....	50.00	4.00	54.00
Mathematics .....	50.00	73.78	123.78
Repairs .....	595.97	1,225.92	1,791.89
Military .....	73.40	6.10	79.50
Land .....	1,200.00		1,200.00
Teachers' salaries .....	25,504.14		25,504.14
Teachers' salaries—rural demonstration schools .....	196.25		196.25
German and French .....		12.75	12.75
Latin and Greek .....			
	\$ 47,432.94	\$ 76,743.82	\$ 124,176.76

## General Fund:

Material for pavilion .....	\$	108.56	
Material and labor for barn .....		846.78	
Hospital bills for laborers .....		221.00	
Athletics .....		468.88	
Employes' salaries .....		273.00	
Superintendent's Department .....		717.79	
Stamps .....		559.88	
			\$ 3,256.79

## Music Fund:

Private music teachers, fees .....			\$ 15,662.32
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## Extension Service Fund:

Salaries and travelling expenses of instructors .....	\$	16,167.53	
Salaries of director and assistants .....		3,808.40	
*Director's travelling expenses .....		528.36	
*Printing and office supplies .....		624.04	
Supplies for instruction .....		34.39	
Telephone and telegraph .....		40.93	
Express, freight and drayage .....		10.87	
Order No. 4225, not paid .....		11.75	
			\$ 21,226.37

Cash on hand .....			\$ 500,558.30
			84,386.31

Total .....

\*Part of this amount was checked for Extension Summer Schools before that fund originated.

## ITEMIZED EXPENDITURES, 1917-18.

Teachers Fund:		
Salaries of teachers .....		\$ 171,029.49
Librarians' Salary Fund:		
Salaries of library employes .....		9,055.35
Library Fund:		
Books and supplies .....		5,004.33
Hospital Fund:		
Supplies .....	\$ 933.90	
Salaries .....	1,304.96	
		2,238.86
Summer Term Fund:		
Salaries of teachers .....		42,083.33
Summer Contingent Fund:		
Salaries of teachers .....	\$ 4,179.54	
Summer term lectures and entertainments .....	1,700.00	
Moving Picture Bureau .....	167.79	
Miscellaneous expense .....	866.52	
		6,903.85
Dormitory Furniture Fund:		
Furniture .....		14,908.39
Commencement Contingent Fund:		
Commencement expenses .....	\$ 708.68	
English Department prizes .....	106.75	
Diplomas .....	308.13	
Alumni meetings .....	130.00	
		1,253.56
Students' Contingent Fund:		
Balance teachers' salaries for year .....	\$ 5,100.06	
Department expenditures .....	22,684.63	
		27,844.09
Contingent Fund .....		113,343.51
General Fund:		
Stamps, express .....	\$ 1,396.76	
Henry Wiker (employee's compensation) .....	438.75	
		1,835.51
Dormitory Fund:		
Salaries of employes .....	\$ 4,644.75	
Extra office help .....	204.05	
Cleaning .....	3,195.01	
Supplies .....	949.41	
Room rent refunds .....	639.75	
Building .....	13,366.12	
Repairs, cafeteria .....	57.17	
		23,056.26
Music Fund:		
Private music fees .....		14,792.47
Equipment Training School Building Fund:		
Equipment for Training School .....		32.18
Equipment Vocational Building Fund:		
Furniture and equipment for Vocational Building .....		7,900.18
Extension Summer School Contingent Fund:		
Salaries .....	\$ 203.30	
Supplies .....	1,650.60	
		1,853.90
Extension Summer School Work Fund:		
Salaries—		
Atlantic, Iowa .....	\$ 4,918.32	
Sheldon, Iowa .....	5,081.68	
		10,000.00
Lost Check Fund .....		5.00
Building Fund .....		19,328.21

## Extension Service Fund:

## Organization--

Directors' salaries .....	\$ 4,780.89
Directors' expense .....	515.71
Office supplies .....	26.51
Telephone and telegraph .....	52.19
Railway Guide .....	2.50
Clerk hire .....	7.00
Printing .....	259.85
Paper .....	135.44
Express, freight and drayage .....	6.00
Postage .....	144.00
General Study Centers--	
Instructors' salaries .....	9,128.49
Instructors' expense .....	8,322.46
Credit Study Centers--	
Instructors' salaries .....	3,083.74
Instructors' expense .....	2,605.54
Supplies for instruction .....	23.77

Of the above total, \$264.59 was checked out after July 1, 1918

29,104.09

264.59

28,839.50

\$ 501,345.97

	Students' Contingent Fund	Contingent Fund	Total
English Department .....	\$ 80.00	\$ 21.69	\$ 101.69
Government Department .....	.50	10.80	11.30
Home Economics Department .....		2,172.88	2,172.88
Telephone .....		390.47	390.47
History Department .....		83.00	83.00
Education Department .....		128.37	128.37
Mathematics Department .....		4.00	4.00
Printing .....	775.31	2,940.61	3,715.92
Natural Science Department .....		643.38	643.38
Orchestral Department .....		193.80	193.80
Music Department .....	90.00	1,248.58	1,338.58
Athletics .....	928.91	324.01	1,252.92
Physical Education Department .....	4.25	575.00	579.25
General use of departments .....	2,132.80	2,101.54	4,234.34
Commercial Department .....		203.89	203.89
Office .....	5.25	2,066.32	2,100.57
Art Department .....		16.20	16.20
Fuel .....	11,005.50	28,547.34	49,552.84
Physics and Chemistry Department .....		1,094.66	1,094.66
Teaching Department .....	31.00	1,027.74	1,058.74
Rural Education Department .....	54.85	2,622.71	2,697.56
Manual Training Department .....		927.20	927.20
Superintendent's Department .....		17,292.52	17,292.52
Field Laboratory .....		675.45	675.45
Repairs .....		5,939.65	5,939.65
Superintendent's employes .....	3,695.51	18,528.58	22,224.09
Office employes .....	1,160.00	12,545.51	13,705.51
Laundry .....		551.88	551.88
Advertising .....	324.09	30.00	354.09
Military .....		386.70	386.70
Telegraphy .....	74.50		74.50
Substitute teachers .....	484.06		484.06
Student assistants (teaching) .....	236.90		236.90
Teachers' salaries .....	6,760.06		6,760.06
	\$ 27,844.09	\$ 113,343.51	\$ 141,187.60

BENJAMIN BOARDMAN,  
Secretary.

The following communication was received from the board of control of state institutions:

## COMMUNICATION FROM THE BOARD OF CONTROL

January 14, 1919.

To the General Assembly of the State of Iowa:

GENTLEMEN—We submit herewith a report, as required by section 2 of

chapter 271 of the laws of the Thirty-seventh General Assembly, showing the amounts transferred from the sums appropriated by those acts and the amount of unexpended balances in the state treasury December 31, 1918, to the credit of the various institutions under our control.

## REPORT.

## IOWA SOLDIERS' HOME, MARSHALLTOWN, IOWA.

Balances December 31, 1918:	Credit	Overdraft
Support.....		\$ 43,948.64
Contingent and repair.....	\$ 4,992.28	
New boilers, automatic stokers, overhauling the plumbing and heating system and installing vacuum system of heating in main building, annex and dormitory.....	2,810.65	
Two passenger elevators.....	2,490.55	
Building storm sewer from hospital and dormitory.....	1,000.00	
Repairs and improvements on main building.....	230.30	
Building for stores.....	5,000.00	
Addition to old peoples building.....	136.72	
Total balances.....	\$ 16,720.50	\$ 43,948.64
Net overdraft balance.....		27,228.14

No transfer of funds.

## SOLDIERS' ORPHANS' HOME, DAVENPORT, IOWA.

Balances December 31, 1918:	Credit	Overdraft
Support.....	-	\$ 22,612.44
Contingent and repair.....	\$ 4,142.33	
Gymnasium.....	30,000.00	
Bath rooms in cottages.....	290.23	
Dental, oculist, aurist, nose and throat treatments.....	598.92	
Gymnasium apparatus.....	49.19	
Permanent buildings and land.....	2,490.22	
Total balances.....	\$ 38,561.80	\$ 22,612.44
Net credit balance.....	15,949.36	

Transfer of funds as follows:

From bath rooms in cottages:

For plumbing repairs in main building.....	\$ 1,320.77
Total funds diverted.....	\$ 1,320.77

## SCHOOL FOR THE DEAF, COUNCIL BLUFFS, IOWA.

This institution was transferred to the board of education on July 1, 1917.

## INSTITUTION FOR FEEBLE-MINDED CHILDREN, GLENWOOD, IOWA.

Balances December 31, 1918:	Credit	Overdraft
Support.....		\$ 6,154.07
Contingent and repair.....	\$ 6,751.71	
Building for boys including furnishings.....	5,160.76	
Building for bakery.....	6,000.00	
Beds and bedding.....	131.61	
Furniture and fixtures.....	553.30	
Total balances.....	\$ 18,597.38	\$ 6,154.07
Net credit balance.....	12,443.31	

No transfer of funds.

## STATE SANATORIUM, OAKDALE, IOWA.

Balances December 31, 1918:	Credit
Support.....	\$ 3,288.45
Contingent and repair.....	785.45
Medical and laboratory building and equipment.....	45,000.00



Elevator, furnishings and equipment for advanced case hospital.....	2,609.74
Switchboard and cable.....	1,500.00
Well, pump house and connections.....	2,945.80
Addition to hospital for advanced tubercular patients.....	300.00
Total balances.....	\$ 56,429.44

No transfer of funds.

INDUSTRIAL SCHOOL FOR BOYS, ELDORA, IOWA.

Balances December 31, 1918:	Credit	Overdraft
Support.....		\$ 20,465.47
Contingent and repair.....	\$ 5,465.68	
Boys' cottage and furnishings.....	20,000.00	
Repairs on cottages, including new lavatories.....	4,782.89	
Equipment for machine shop.....	963.41	
Band instruments and supplies.....	407.55	
Wagon shed.....	500.00	
Tunnels, pipe, pipe covering and equipment.....	2,500.00	
Extending the water system.....	1,000.00	
Dental, oculist, aurist, nose and throat work.....	760.61	
School supplies and apparatus.....	271.50	
Carpets, rugs and furniture.....	1,594.00	
Transportation of boys.....	118.86	
Lectures and amusements.....	379.24	
Athletic fund and reward of merit.....	281.81	
Chaplain.....	206.00	
Library books and periodicals.....	251.63	
Agricultural implements.....	722.04	
Beds and bedding.....	11.63	
Drain tile.....	181.86	
Kitchen equipment.....	5.30	
Repairs to administration building.....	3,097.54	
Gymnasium and physical building.....	5,777.65	
Sanitary toilet and equipment.....	116.28	
Total balances.....	\$ 49,482.19	\$ 20,465.47
Net credit balance.....	29,016.72	

No transfer of funds.

INDUSTRIAL SCHOOL FOR GIRLS, MITCHELLVILLE, IOWA.

Balances December 31, 1918:	Credit	Overdraft
Support.....		\$ 17,553.64
Contingent and repair.....	\$ 392.38	
Lantern and slides.....	72.99	
Chaplain.....	83.50	
Dental, oculist, aurist, nose and throat work.....	1,438.33	
Furniture and furnishings.....	528.75	
Machine shop.....	300.00	
New boiler.....	1,500.00	
Musical instruments and supplies.....	247.23	
New laundry and equipment.....	8,000.00	
Remodeling old laundry building for stores.....	2,000.00	
Transportation of girls.....	63.93	
Gymnasium equipment.....	500.00	
Fencing.....	20.63	
Changing dormitories.....	92.57	
Draining land.....	41.10	
Farm and garden implements.....	33.28	
Total balances.....	\$ 15,314.70	\$ 17,553.64
Net overdraft balance.....		2,238.94

No transfer of funds.

MT. PLEASANT STATE HOSPITAL, MT. PLEASANT, IOWA.

Balances December 31, 1918:	Credit	Overdraft
Support.....		\$ 39,333.22
Contingent and repair.....	\$ 1,769.92	
New laundry building and equipment.....	30,000.00	
Sewer for draining basement of main building.....	2,500.00	
Electric switchboard and connections.....	2,000.00	
Two silos.....	14.48	
Drain tile.....	1,473.89	

Books, periodicals and binding for patients' library.....	112.10	
Electric wiring and fixtures in main building.....	2,774.05	
New boiler house and equipment.....	1,572.10	
Railway track scale and farm scales.....	5.00	
Pump house for deep well and connections.....	25.41	
Beds and bedding and wall finishing.....	674.15	
Hose and fire equipment.....	1,132.43	
Improving sewage disposal plant.....	161.43	
Paving streets.....	191.91	
Floors and lumber.....	57.69	
Railway switch.....	574.98	
Wire guards and railings in women's infirmary.....	.11	
Total balances.....	\$ 44,950.71	\$ 29,333.22
Net credit balance.....	5,617.49	

## Transfer of funds as follows:

From two silos fund:		
For general repairs.....	\$	65.52
From wire guards and railings in women's infirmary fund:		
For general repairs.....		62.25
From pump house for deep well and connections fund:		
For general repairs.....		121.83
From mechanical stokers fund:		
For Palmer force draft burner system.....		7,000.00
Total funds diverted.....	\$	7,249.60

## INDEPENDENCE STATE HOSPITAL, INDEPENDENCE, IOWA.

Balances December 31, 1918:

		Credit
Support.....	\$	2,351.40
Contingent and repair.....		312.80
Horse barn.....		115.63
Building power house and equipment.....		47,500.00
Hospital for tubercular patients.....		49,000.00
The state's portion of the organization of the drainage district.....		5,000.00
Draining land.....		963.34
Fencing.....		62.77
Railway switch.....		2,704.00
Total balances.....	\$	98,419.34

No transfer of funds.

## CLARINDA STATE HOSPITAL, CLARINDA, IOWA.

Balances December 31, 1918:

		Credit
Support.....	\$	1,963.13
Contingent and repair.....		3,692.21
Hospital for tubercular patients.....		40,000.00
Dairy barn.....		12,000.00
Books, periodicals and binding.....		12.79
Laundry building and equipment.....		118.25
Total balances.....	\$	57,186.38

## Transfer of funds as follows:

From fire escapes fund:		
For contingent and repair.....	\$	80.00
Total funds diverted.....	\$	80.00

## CHEROKEE STATE HOSPITAL, CHEROKEE, IOWA.

Balances December 31, 1918:

		Credit
Support.....	\$	11,834.29
Contingent and repair.....		5,944.18
Completing railway switch and making alterations in coal house.....		5,487.12
Increasing and improving water supply.....		50,000.00
Books, periodicals, newspapers and pictures for wards.....		38.48
Mechanical stokers.....		71.57
Total balances.....	\$	73,375.64

No transfer of funds.

## STATE HOSPITAL FOR INEBRIATES, KNOXVILLE, IOWA.

Balances December 31, 1918:	Credit
Support .....	\$ 16,227.18
Contingent and repair .....	1,779.58
Books and periodicals for patients .....	208.86
Fire station and equipment .....	1,200.00
Ice house .....	706.00
Laboratory equipment .....	300.00
Renovating and replacing of furniture .....	500.00
Cold storage and store building .....	.80
Enlarging dynamo room .....	5,000.00
Sewage disposal plant .....	4,905.50
Paving .....	163.27
Establishing and maintaining industries .....	2,796.25
Total balances .....	\$ 33,778.45

Transfer of funds as follows:

From new boiler fund:	
For Palmer force draft burner system .....	\$ 2,000.00
Total funds diverted .....	\$ 2,000.00

## STATE HOSPITAL AND COLONY FOR EPILEPTICS, WOODWARD, IOWA.

Balances December 31, 1918:	Credit
Support .....	\$ 1.99
Contingent and repair .....	1,337.23
Cottages for patients and equipment .....	7,193.83
Two dining halls and kitchens .....	75,000.00
Cottage for tubercular patients .....	20,000.00
Greenhouse and garage combined .....	3,500.00
Dairy barn and two silos .....	7.64
Horse barn .....	6,000.00
Hog house .....	886.00
Poultry house .....	500.00
Pictures, library books, newspapers and periodicals for patients .....	124.47
Fencing .....	487.02
New tunnels .....	1,500.00
Section 3, Senate File 565, laws of the Thirty-sixth General Assembly .....	48.01
Total balances .....	\$ 116,586.19

No transfer of funds.

## STATE PENITENTIARY, FORT MADISON, IOWA.

Balances December 31, 1918:	Credit	Overdraft
Support .....		\$ 67,250.55
Contingent and repair .....	\$ 96.90	
Transportation of prisoners .....	1,352.70	
Furniture and furnishings for warden's residence .....	4.79	
Establishing and maintaining industries .....	104,427.29	
Furnace for warden's house .....	350.00	
Locks for cells .....	1,040.74	
Fencing .....	346.62	
Re-roofing shops .....	295.50	
Gate receipts .....	403.35	
Re-flooring shops .....	137.33	
Wardens' residence .....	535.96	
Water reservoir .....	21.84	
Total balances .....	\$ 109,012.92	\$ 67,250.55
Net credit balance .....	41,762.37	

No transfer of funds.

## THE REFORMATORY, ANAMOSA, IOWA.

Balances December 31, 1918:	Credit	Overdraft
Support .....		\$ 88,231.58
Contingent and repair .....	\$ 4,522.29	
Dental, aurist and oculist work .....	943.98	
Heating equipment for new industrial building .....	1,000.00	
New lavatories and closets .....	110.26	

Line shafting, hangers and pulleys for new industrial building	450.00	
Motors and wire for new industrial building	980.00	
Tools, materials and equipment for manual training and trade instruction	1,444.65	
Transportation of prisoners	6.36	
Power house	1,000.00	
Carpet loom	120.00	
Extending industries	4.31	
Feed water heaters	1,000.00	
Fireproofing floors, ceilings and roofs of laundry, engine room and shops	5,000.00	
Gate receipts	263.12	
Ice house	200.00	
Repairs of pipe organ	200.00	
Replacing tables	209.53	
Salaries of foremen and instructors	4,313.89	
Establishing and maintaining industries	37,657.96	
Total balances	\$ 59,426.35	\$ 88,231.54
Net overdraft balance		28,805.23

## Transfer of funds as follows:

From gate receipts fund:		
For support fund		\$ 215.10
From improving water system fund:		
For establishing and maintaining industries		7,192.29
From replacing tables fund:		
For chicken house		31.93
Total funds diverted		\$ 7,439.32

## IOWA INDUSTRIAL REFORMATORY FOR FEMALES, ROCKWELL CITY, IOWA.

## Balances December 31, 1915:

	Credit
Support	\$ 7,225.51
Contingent and repair	2,500.00
Two cottages and furnishings	36,043.90
Water supply, pumps and equipment	851.40
Sewage disposal plant and sewer	5,975.00
Finishing pathological building	5,000.00
Fencing and drainage	1,500.00
Building walks, grades, drives and planting	33.50
Industrial building and school house	24.00
Furniture and furnishings for all buildings	1,425.02
Laundry equipment	1,459.74
Cow barn and silo	2,485.00
Poultry house	494.05
Hog house	362.74
Cold storage and equipment	387.01
Transfer of females	846.18
Total balances	\$ 67,014.05

No transfer of funds.

## GENERAL APPROPRIATIONS.

## Balances December 31, 1918:

	Credit
Balance section 19, chapter 271, Thirty-seventh General Assembly	\$ 7,942.09
Total balances	\$ 7,942.09

## RECAPITULATION OF BALANCES.

	--Support--			--Total--	
	Credit	Overdraft	Special	Credit	Overdraft
Iowa Soldiers' Home	\$	\$ 43,948.64	\$ 16,720.50	\$	\$ 27,228.14
Soldiers' Orphans' Home		22,612.44	38,561.80	15,949.36	
Institution for Feeble-minded Children		6,154.07	18,597.38	12,443.31	
State Sanatorium for the Treatment of Tuberculosis	3,288.45		53,140.99	56,429.44	
Industrial School for Boys		20,465.47	49,482.19	29,016.72	
Industrial School for Girls		17,553.64	15,314.79		2,238.85

Mt. Pleasant State Hospital.....	39,333.22	44,050.71	5,617.49	-----	
Independence State Hospital.....	2,361.40	96,057.04	98,419.34	-----	
Clarinda State Hospital.....	1,963.13	50,225.25	52,188.38	-----	
Cherokee State Hospital.....	11,834.29	61,541.35	73,375.64	-----	
State Hospital for Inebriates.....	16,227.18	17,031.27	33,278.45	-----	
State Hospital and Colony for Epileptics.....	1.29	116,584.20	116,586.19	-----	
State penitentiary.....	67,259.55	109,612.91	41,792.37	-----	
The Reformatory.....	88,231.58	59,426.35	-----	28,865.23	
Iowa Industrial Reformatory for Females.....	7,636.51	59,387.54	67,014.05	-----	
General appropriations.....	-----	7,942.09	7,942.09	-----	
Totals.....	\$ 43,302.95	\$305,549.61	8819,405.18	\$615,020.83	\$ 58,272.31
Net support overdraft.....	-----	252,246.00	-----	-----	-----
Total net credit.....	-----	-----	-----	537,248.52	-----

The balances remaining in the special funds of the several institutions are unusually large. This is due to the fact that it was not possible to build the buildings or make the improvements contemplated owing to the extremely high cost of material and labor brought on by the unsettled and abnormal conditions caused by the world war.

However, it is the intention of the board to make these very necessary improvements just as soon as conditions will permit.

RECAPITULATION OF FUNDS TRANSFERRED.

Soldiers' Orphans' Home.....	\$ 1,320.77
Mt. Pleasant State Hospital.....	7,219.60
Clarinda State Hospital.....	80.00
State Hospital for Inebriates.....	2,000.00
The Reformatory.....	7,439.29
Total.....	\$ 18,080.66

Respectfully submitted,

BOARD OF CONTROL OF STATE INSTITUTIONS,  
BY A. M. M'COLL,  
Chairman.

On motion of Senator Price, the Senate adjourned until 2 p. m. Tuesday, January 21, 1919.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 21, 1919.

Senate met pursuant to adjournment, President pro tem. Wallace H. Arney presiding.

Prayer was offered by Rev. Howard Wright Johnston, pastor of the Collegiate Presbyterian church of Ames.

## INTRODUCTION OF BILLS.

By Senator Wilson, Senate File No. 7, a bill for an act to amend the law as it appears in section seventeen hundred fifty-four (1754), of the code, relating to combination by insurance companies.

Read first and second time and filed for future reference to committee.

By Senator Wilson, Senate File No. 8, a bill for an act to amend section fifty-seven hundred eighteen-a-twenty (5718-a-20), supplement to the code, 1913, relating to the discharge of paroled prisoners.

Read first and second time and filed for future reference to committee.

By Senator Foster, Senate File No. 9, a bill for an act to repeal section 1561 of the code, relating to the placing of guide boards at cross roads and the forks of roads and to require the state highway commission to cause the various lines of highways comprising the **county** road system and connecting links, including the connecting **streets** in cities, towns and villages to be marked by some standard design, uniform throughout the state and providing for numbering, mapping and indexing said system.

By Senator Meredith, Senate File No. 10, a bill for an act to amend the law as it appears in section ten hundred seventy-two (1072) and twenty-seven hundred forty-two (2742), supplement to the code, 1913, and in section twenty-seven hundred thirty-four-b (2734-b) supplemental supplement to the code, 1915, relating to the election, compensation and qualifications of the county superintendent.

Read first and second time and filed for future reference to committee.

By Senator Kimball, Senate File No. 11, a bill for an act amending chapter 2-a of title six of the supplement to the code, 1913, and relating to primary elections and nominations of candidates for office and the election of delegates to various party conventions and the regulation of such party conventions, the selection of committeemen, and filing of nomination papers, the preparation and form of the primary ballot and the count and canvass of the vote at such election and the certification thereof; provision for deciding a tie vote and for vacancy in nomination and for repeal of sections in conflict therewith.

Read first and second time and filed for future reference to committee.

#### MOTION TO RECONSIDER.

I move to reconsider the vote by which resolution for extra help and report of the committee thereon were adopted and declared to have passed the Senate.

T. C. CESSNA.

#### RESOLUTION ON COMMITTEE LISTS.

Senator Whitmore offered the following concurrent resolution:

Concurrent resolution directing the secretary of the Senate and clerk of the House to have printed in pamphlet form a list of the officers and standing committees of the Senate and House.

*Resolved by the Senate, the House concurring:*

That, following announcement of standing committees by the president of the Senate and speaker of the House, the secretary of the Senate and the clerk of the House are instructed to prepare and have printed in pamphlet form a list showing, as to each house:

1. Officers.
2. Alphabetical list of members of each house, with seat number and home county.
3. Standing committees and membership thereof, and room to which assigned.
4. Members of each house, with list of committees to which each member is assigned.
5. City addresses and telephone numbers of officers and members.
6. Committee clerks, with addresses and telephone numbers.

Such pamphlet to be approximately three by five and one-half inches in size, corresponding in general make-up to that used at the last session; eight hundred copies thereof to be promptly printed for use of the senate, and twelve hundred thereof for the House; two hundred additional copies to be bound in leather, and one copy, with his name printed thereon, to be furnished each officer and member.

Unanimous consent having been given for immediate consideration, Senator Whitmore moved that the resolution be adopted.

On the question, "Shall the resolution be adopted?" the vote was

Ayes—42.

Adams	Ifale	Rainbow
Anderson	Haskell	Ratcliff
Arney	Ho:doegel	Reed
Ball	Horchem	Rule
Brookhart	Kimball	Schaffter
Broxam	Kimberly	Scott
Buser	Kingland	Shane
Dyington	Meredith	Smith
Edwards	Nelson	Stoddard
Evans	Newberry	Taylor
Fellows	Parker	Thompson
Foskett	Pitt	White
Foster	Price	Whitmore
Greenell	Proudfoot	Wilson

Nays—None.

Absent or not voting—8.

Balkema	Fraille	Stephenson
Cessna	LeCompte	Van Alstine
Coburn	Mitchell	

So the resolution having received a constitutional majority was declared to have passed the Senate.

#### ASSIGNMENT OF SEAT IN PRESS GALLERY.

The secretary assigned seat No. 58 to W. C. Jarnagin of the Iowa Farmer.

#### RESOLUTION ON PRINTING LEGALIZING ACTS.

Senator Foskett offered the following resolution:

*Be It Resolved by the Senate, the House concurring, that during the Thirty-eighth General Assembly no bill for a legalizing act shall be printed in either journal, and if printed as a bill, shall be so printed at the expense of the parties interested.*

Laid over under the rules.



## LEAVE OF ABSENCE.

On request of Senator Parker, leave of absence was granted Senator Coburn for the day.

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

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

## RESIGNATION OF ENGROSSING CLERK.

DES MOINES, IOWA, JANUARY 18, 1919.

*To Lieutenant Governor E. R. Moore, President Iowa State Senate:*

DEAR SIR—I hereby tender my resignation as engrossing clerk of the Thirty-eighth Assembly, to take effect as soon as my successor is appointed.

Yours respectfully,

LT. GERALD E. MILLER.

Senator Rule moved that the resignation of Lieutenant Gerald E. Miller as engrossing clerk be accepted, and that Lieutenant Harvey Ray be elected to succeed him. Motion prevailed.

## MOTION TO RECONSIDER CALLED UP.

Senator Rule called up for consideration the motion filed by Senator Cessna to reconsider the vote by which the resolution for extra help and report of committee thereon was adopted by the Senate. The motion to reconsider prevailed.

Senator Wilson moved to amend the resolution relative to extra help by striking out section 10.

On the motion to amend, the vote was:

Ayes—20.

Arney  
Byington  
Cessna  
Edwards  
Evans  
Fellows  
Haie

Haskell  
Kimberly  
Kingland  
Meredith  
Nelson  
Pitt  
Price

Ratcliff  
Scott  
Smith  
Stephenson  
Thompson  
Wilson

## Nays—22.

Adams	Holdoegel	Rule
Anderson	Horchem	Schaffter
Ball	Kimball	Shane
Brookhart	Newberry	Stoddard
Broxam	Parker	Taylor
Buser	Proudfoot	Whitmore
Foskett	Rainbow	
Foster	Reed	

## Absent or not voting—8.

Balkema	Greenell	Van Alstine
Coburn	LeCompte	White
Fralley	Mitchell	

The amendment was lost.

Senator Rule offered the following motion:

MR. PRESIDENT—I move that the word "concurrent" appearing in the resolution be changed to the word "joint."

The motion prevailed.

Senator Adams moved the previous question, which motion prevailed and the previous question was ordered.

The joint resolution was read the first and second times.

The rule was suspended by which no joint resolution may be read a second and third time the same day, and the resolution was read a third time.

Senator Rule 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 be adopted?" the vote was,

## Ayes—21.

Adams	Horchem	Reed
Anderson	Kimball	Rule
Brookhart	Nelson	Schaffter
Broxam	Newberry	Shane
Foskett	Parker	Stoddard
Foster	Proudfoot	Van Alstine
Holdoegel	Rainbow	Whitmore

## Nays—23.

Arney	Greenell	Ratcliff
Ball	Hale	Scott
Buser	Haskell	Smith
Eyington	Kimberly	Stephenson
Cessna.	Kingland	Thompson
Edwards.	Meredith	White
Evans	Pitt	Wilson
Fellows	Price	

## Absent or not voting—6.

Balkema	Mitchell	LeCompte
Frailey	Taylor	Coburn

So the joint resolution having failed to receive a constitutional majority was declared to have been lost.

Senator Evans offered the following resolution:

*Whereas*, by the provisions of chapter two hundred thirty-one (231) of the laws of the Thirty-seventh General Assembly, the governor and attorney general were authorized to call to their aid any peace officer in the state for the purpose of rendering assistance in procuring evidence, ferretting out crime, prosecuting law violators or otherwise enforcing the law; and

*Whereas*, they were authorized by the terms of said chapter to expend not to exceed twenty-five thousand dollars (\$25,000.00) for the compensation and expense of such officers or persons.

*Be It Resolved*: That the governor and attorney general be and they are hereby requested to furnish to this body, a statement of the names and addresses of such peace officers or persons and the compensation paid to such peace officers or persons during the last biennium.

*Be It Further Resolved*: That a copy of such reports be printed and placed upon the desk of each senator.

Laid over.

## REPORT OF COMMITTEE ON MILEAGE.

Senator Foster presented the following report and moved its adoption:

MR. PRESIDENT—Your committee on mileage begs leave to report that it finds members of the Senate of the Thirty-eighth General Assembly entitled to mileage as follows:

Name.	Miles.	Amount.
Lieutenant Governor Moore .....	284	\$14.20
Senator Adams .....	240	12.00
Senator Anderson .....	132	6.60
Senator Arney .....	150	7.50
Senator Balkema .....	480	24.00

Senator Ball .....	234	11.70
Senator Brookhart .....	234	11.70
Senator Broxam .....	460	23.00
Senator Buser .....	312	15.60
Senator Byington .....	242	12.10
Senator Cessna .....	112	5.60
Senator Coburn .....	400	20.00
Senator Edwards .....	70	3.50
Senator Evans .....	264	13.20
Senator Fellows .....	670	33.50
Senator Foskett .....	340	17.00
Senator Foster .....	120	6.00
Senator Frailey .....	320	16.00
Senator Greenell .....	450	22.50
Senator Hale .....	364	18.20
Senator Haskell .....	284	14.20
Senator Holdoegel .....	178	8.90
Senator Horchem .....	409	20.45
Senator Kimball .....	284	14.20
Senator Kimberly .....	350	17.50
Senator Kingland .....	342	17.10
Senator LeCompte .....	142	7.10
Senator Merideth .....	110	5.50
Senator Mitchell .....	154	7.70
Senator Nelson .....	162	8.10
Senator Newberry .....	440	22.00
Senator Parker .....	.....	.....
Senator Pitt .....	348	17.40
Senator Price .....	136	6.80
Senator Proudfoot .....	44	2.20
Senator Rainbow .....	212	10.60
Senator Ratcliff .....	286	14.30
Senator Reed .....	430	21.50
Senator Rule .....	244	12.20
Senator Schaffter .....	170	8.50
Senator Scott .....	286	14.30
Senator Shane .....	242	12.10
Senator Smith .....	70	3.50
Senator Stephenson .....	246	12.30
Senator Stoddard .....	404	20.20
Senator Taylor .....	260	13.00
Senator Thompson .....	336	16.80
Senator Van Alstine .....	202	10.10
Senator White .....	247	12.35
Senator Whitmore .....	184	9.20
Senator Wilson .....	188	9.40

JNO. W. FOSTER,  
 J. A. NELSON,  
 B. J. HORCHEM.

The report was adopted.

Senator Parker moved that Miss Helen Frazer, prominent in war work, be invited to address the Senate on Wednesday for a short time preceding the noon intermission. Carried.

Senator Kimball moved that the committee on extra help prepare a new report. Motion prevailed.

#### CORRECTION OF JOURNAL.

The journal of January 16th was taken up, corrected and approved.

#### REPORT ON COMMITTEE CLERKS.

January 21, 1919.

MR. PRESIDENT—Your committee to whom was referred the matter of examination of applicants for positions as clerks, begs leave to file this as a supplemental report to-wit:

That it has examined and found proficient the following applicants:

Ruby Welch, assigned to Senator Meredith.

Allie Bristol, assigned to Senator Arney.

Your committee recommends the employment of the aforesaid clerks and moves the adoption of this report.

EUGENE SCHAFFER,  
*Chairman.*

The report was adopted.

Ruby Welch and Harvey Ray appeared before the bar of the Senate and were duly sworn.

On motion of Senator Evans, Senate adjourned until 10 a. m. Wednesday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 22, 1919.

Senate met in regular session at 10 a. m., President Ernest R. Moore presiding.

Prayer was offered by R. D. Echlin, D. D., pastor of the First Presbyterian Church of Rolfe.

## 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 extending sympathy to relatives of deceased soldiers.

## PETITIONS.

Senator Evans presented a petition from the Butler County Federation of Women's Clubs relative to the housing law.

Referred to committee on cities and towns.

Senator Evans presented a petition from Bremer County War Service Council relative to military affairs.

Referred to committee on military affairs.

Senator Evans presented a petition from the Bremer county supervisors relative to compensation.

Referred to committee on county and township affairs.

Senator Schaffter presented a petition from the Eldora Community Club relative to the housing law.

Referred to committee on cities and towns.

Senator Taylor presented a petition from the Delaware county supervisors relative to compensation.

Referred to committee on county and township affairs.

Senator Brookhart presented a petition from the Washington county supervisors relative to compensation.

Referred to committee on county and township affairs.

#### INTRODUCTION OF BILLS.

By Senator Whitmore, Senate File No. 12, a bill for an act to amend chapter 148 of the Acts of the Thirty-seventh General Assembly of the state of Iowa, relating to lighting devices on motor vehicles.

Read first and second time and referred to committee on motor vehicles.

By Senator Whitmore, Senate File No. 13, a bill for an act to repeal section five (5) of chapter five (5) of the Acts of the Thirty-seventh General Assembly and to enact a substitute therefor, relating to the publication of the session laws.

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

By Senator Whitmore, Senate File No. 14, a bill for an act to amend section 879-e, supplement to the code, 1913, relating to powers of river front improvement commission

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

By Senator Whitmore, Senate File No. 15, a bill for an act to amend section 674, supplement to the code, 1913, relating to the compensation of city assessors.

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

By Senator Whitmore, Senate File No. 16, a bill for an act limiting the period in which increase of compensation of public officers, agents, or employees shall be effective.

Read first and second time and referred to committee on departmental affairs.

By Senator Horchem, Senate File No. 17, a bill for an act to amend section two hundred fifty-four-a20 (254-a20) supplement to the code, 1913, relating to commitments in juvenile courts.

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

By Senator Ratcliff, Senate File No. 18, a bill for an act amending section two thousand seven hundred seventy-three (2773) supplement to the code of Iowa, 1913, relative to length of time of holding school.

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

By Senator Ball, Senate File No. 19, a bill for an act to amend section four hundred three (403) of the supplement to the code, 1913, relating to the issuance of county bonds and limiting the indebtedness of counties for road purposes in anticipation of current revenues.

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

By Senator Ball, Senate File No. 20, a bill for an act relating to the levy of a tax in cities and towns for creating a municipal band fund and providing for an election authorizing the same.

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

By Senator Kimball, Senate File No. 21, a bill for an act to amend section 1099 of the code of 1897, and sections 1106, 1119, 1120, 1150, 1151, 1157, 1087-c and 1173 of the supplement to the code, 1913, and relating to election of presidential electors and United States senators and of vote therefor and removal of presidential electors from official ballot.

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

By Senator Van Alstine, Senate File No. 22, a bill for an act to amend section 5365 of the code of Iowa and to determine the method of challenging jurors and the number of challenges and the method of exercising peremptory challenges and of selecting the petit jury from the panel in criminal cases.

Read first and second time and referred to committee on judiciary No. 1.



By Senator Stoddard, Senate File No. 23, a bill for an act to repeal section nine hundred ten (910) of the code, relating to the sale of municipal bonds, and enacting a substitute therefor.

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

By Senator Wilson, Senate File No. 24, a bill for an act to amend section two hundred and fifty-four-a-two (254-a-2) supplemental supplement to the code, 1915, relating to the compensation of shorthand reporters of the district courts.

Read first and second time and referred to committee on judiciary No. 2.

#### SENATE CONCURRENT RESOLUTION.

Senator Buser offered the following concurrent resolution:

*Be It Resolved by the Senate, the House Concurring,* That Judge Shelby M. Cullison is hereby appointed to assist members of the House and Senate in drafting proposed measures; also to give them legal advice as to whether or not proposed measures are constitutional or are in conflict with existing Iowa laws. For the time occupied in the performance of said duties, the appointee shall receive as full compensation for his services rendered, the sum of \$350.00 per month, and that in no event shall the time for which this appointment is made exceed the duration of the Thirty-eighth General Assembly.

*Be It Further Resolved by the Senate, the House Concurring,* That Mrs. Elbert R. Hall be and is hereby appointed as stenographer for the use of the appointee above named at a salary of \$3.00 per day for the days actually employed.

*Be It Also Further Resolved by the Senate, the House Concurring,* That the above appointee and his stenographer shall have quarters in the office of the law librarian.

Passed on file.

#### RESOLUTION RELATIVE TO SOLDIERS' MONUMENT.

Senator Ball offered the following resolution:

*Whereas,* The Thirty-seventh General Assembly enacted a law establishing permanently the soldiers' and sailors' monument upon its present

site on the capitol ground in the city of Des Moines and authorizing and directing the executive council to remove the Allison monument to some other location, and

*Whereas*, The executive council had ignored the law and failed to obey the mandate of the legislature by refusing to remove the Allison monument, therefore

*Be It Resolved*, That the executive council is hereby directed to report to the Senate within four days the reason why they have not obeyed the law and removed the Allison monument as directed.

Passed on file.

#### SUBSTITUTE FOR CONCURRENT RESOLUTION.

Senator Foskett offered the following resolution:

*Be It Resolved by the Senate, the House Concurring*, That no bills for legalizing acts be printed in the journals of either house, but that the document editor is hereby authorized to have such bills printed in bill form to the number of two hundred fifty (250) when the cost thereof has been deposited with him at the rate of one dollar and fifty cents (\$1.50) per printed page, and the publication of all such bills in newspapers shall be without expense to the state.

Senator Foskett moved that this resolution be substituted for the one offered by him yesterday on the same subject and appearing in the journal on page 136. Carried.

On motion of Senator Foskett, the resolution was adopted.

Senator Evans called up the resolution on page 139 of yesterday's Journal and moved its adoption. Motion prevailed and the resolution was declared adopted.

Senator Kimball presented the following report which was ordered printed in the Journal:

#### REPORT OF THE RETRENCHMENT AND REFORM COMMITTEE.

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

Your Committee on Retrenchment and Reform beg leave to submit the following report:

By reason of the great amount of printed matter submitted to the members of the General Assembly making it difficult for the members to read and digest it, your committee will make no extended report of their work and service during the Thirty-seventh General Assembly, and the interim between the Thirty-seventh General Assembly and the convening of this legislature.

Your committee early began an investigation of the Panama-Pacific International Exposition Commission, and after a long and painstaking examination of the accounts and the various persons having knowledge of the same it was found that records of the filing by the commission of vouchers for some of the expenditures, were lacking, and that the Executive Council had not fully audited and reported as provided by Chapter VI. of the Acts of the Thirty-sixth General Assembly the accounts and expenditures of the commission, and a resolution was duly passed by this committee recommending that the Executive Council make further investigation of the accounts of said commission and make an accounting in so far as the same have not been fully audited and that suitable investigation be made by said Executive Council of such items for which there are no proper vouchers; which resolution is hereto attached and made a part of this report, and marked Appendix A.

Your committee, by sub-committee, carefully canvassed and examined reports of the Secretary of the Executive Council, as made by the State Accountant, upon the accounts of the various officers and departments of the state. Your committee found no discrepancies in, or fault with these reports. The examination of the reports of the Secretary of the Executive Council upon the accounts of the various officers and departments of state was made with a view to the consolidation and elimination of boards, commissions and departments of the state. To this end your committee have examined the reports heretofore made and the recommendations therein contained of the Committee on Retrenchment and Reform. They have also examined the reforms that were made in Illinois with a view of applying such reforms, if needed, to our own state government.

The former reports of this committee made to the Thirty-sixth General Assembly advocated sweeping changes in the form of state government. Those reports followed an elaborate investigation made by Quail-Parker and Co., of St. Paul, Minn., efficiency engineers, which involved an expense to the state of nearly \$10,000.00. The proposed changes of state government were radical and bureaucratic. They were not taken seriously by the Thirty-sixth General Assembly, and passed unnoticed by the Thirty-seventh General Assembly. Your committee, therefore, deems it unwise to present any comprehensive or radical change of our state government, which, though it has defects, it has been highly successful as developed through years, and as compared with the state government of other states. A comparison of the state government of Iowa, its various boards, commissioners and officers with the government of Illinois as reduced and changed in the recent endeavor in that state to do away with useless boards leads your committee to find that the government of Iowa still has less boards and commissions than the state of Illinois.

While some rearrangement of departments and officers may be effected to the advantage of the government, as hereinafter recommended, and while it may be found as time goes on that some elimination may be made, your committee is constrained to report that the government of Iowa has been developed to meet the needs of the state and as adapted to these needs, is one of the best state governments in the Union.

We found in the examination of the reports of the various departments that salaries adopted for various officers and employees of the state have been fixed at different periods in the state's history, and are widely divergent as compared to the work and duties of such offices and employments. This is so, because the fixing of salaries is hidden in the obscure clauses of statutory provisions not often examined by legislators, making it difficult to compare the rates of compensation for the various service performed.

Pursuant to the provisions of Joint Resolution No. 15, your committee has provided additional clerical assistance for a few of the offices and departments. By reason of the war and the necessity of keeping record of fire inspection of elevators, the Fire Marshal was given slight clerical assistance. Some change of the application for funds for clerical assistance was made in the Treasurer of State's Office.

As far as possible the janitor service of the State House was all placed under the Custodian of the State House, and some errors in providing for employees of the State House were corrected.

The extra burden of war placed upon the Commissioner of Labor required a slight extra clerk hire for his department which was allowed by the committee. The secretary of state's office, by reason of the lack of sufficient appropriation for clerk hire to take care of the automobile tax business to July 1st, 1917, and July 1st, 1918, was allowed the necessary additional clerk hire for the automobile department.

The constant increase of wages and the unusual demand caused by the war for men in other lines of employment made it very difficult for the Custodian to keep the necessary state house employees at the salaries fixed by the last General Assembly. At the request of Adjutant General Lasher and the Governor, your committee ordered an increase of ten per cent to all of the state house employees on the Custodian's pay roll, and four other employees doing similar work in caring for the State House. This did not apply to the clerks and stenographers in the custodian's office. This increase of pay was allowed for a limited time, and until the present legislature shall act upon and fix the salary for the future. Your committee found that an adequate service could be kept and maintained for the state house only by making some provision for holding these employees. No distinction, however, was made between the veterans of the Civil War and the younger employees, who were likely to leave without the increase in compensation.

The increased payments for clerk hire were made from the funds appropriated for this purpose by Joint Resolution No. 15, and on orders properly made and filed in the department affected and with the Auditor of State.

Your committee found from reports from State Treasurer E. H. Hoyt that the state was losing a large amount of revenue from the collection of the collateral inheritance tax by failure of various persons in reporting the tax, and that it would be highly profitable to the state, and in the interest of justice to provide the Treasurer of State with suitable means of examining the records in the various counties, and to provide the information necessary to collect unpaid inheritance tax due the state. A sum not to exceed \$3,000.00 was allowed by the committee out of the funds at its disposal to the Treasurer of State to pay the salary and expenses of a collateral inheritance tax collector. The report of the Treasurer of State hereto attached as Appendix B showing the result of the use of this fund indicates that your committee was fully warranted in making this expenditure. It is also evident that some permanent arrangement should be made for collecting this delinquent tax.

This committee should not have the function of disposing and transposing of assistants, employees and clerks, as it is administrative and not legislative; and your committee is not so in touch with the needs of the departments as to intelligently act in reference thereto. The Executive Council is the executive and administrative board of the state answerable directly to the people who elected its members. That council should have a general supervision over the departments with power to add, remove and transfer assistants and employees.

The provision that the Retrenchment and Reform Committee may provide for expenditures to a limited extent for state purposes, ad interim, is a wise one and should be maintained to meet extra needs and demands in a small way when requested by the Executive Council. Thus, the legislative function is left to a committee of the legislature while the administrative powers are properly extended. Your committee herewith attaches a detailed list of its expenditures and of the authorized use of funds for state purposes and which is marked Appendix C.

The chief difficulty your committee has found in state administration is in the lack of responsibility of some of the employees of the state to a recognized and responsible head.

We think that all janitors, caretakers and repair men of the state at Des Moines should be placed under the Adjutant-General, as Custodian of the State House and other buildings, except the Historical Building. The employees of the Historical Building should be placed under the Curator. That if any additional duties are given to the janitors it should be with the direction of these heads to whom they should be subject, and complaint of the department should be made to the Custodian or Curator as the case may be. The combining of varied duties of employees with several bosses should be abolished as far as possible.

Joint Resolution No. 15 provides that the Retrenchment and Reform Committee shall have power to reduce, eliminate or change employees of the departments from one office to another and to reduce or change the payment of such help by filing order to that effect with the department affected and with the Auditor of State.

Your committee also appointed a sub-committee to investigate and report upon the conditions of the state house with reference to danger from fire. It would appear that there is great danger of a large and substantial loss from fire in the attic over the Senate chamber, and in the law library. Lack of fire proofing over the attic of the House chamber cost the state a great loss several years ago. A similar fire might occur any time in the same class of wood work in the Senate chamber, and in the state law library. During one session of the committee in the large committee room off from the House chamber the wood floor in the vicinity of the radiator caught fire. Had this occurred in some parts of the library or wood work surrounding the Senate chamber it might have cost the state hundreds of thousands of dollars. We attach hereto the report of the sub-committee and make it a part hereof, which report is marked Appendix D.

Your committee herewith makes the following recommendations:

1. **REQUIRE ADMINISTRATION OF ALL ESTATES OF DECEDENTS.** The law relating to the estates of decedents should be amended so that all deceased persons leaving property in this state, whether real or personal, and all persons resident of this state at the time of their decease shall have administration of their estate in the proper county, except where otherwise unnecessary and where a petition is filed in court with notice served upon the county attorney and an order entered on hearing of said petition, that the estate does not exceed more than one thousand dollars, or does not exceed a homestead, exempt from execution, and one thousand dollars, or that the decedent left no collateral heirs inheriting any of the property of deceased. That the collateral inheritance tax law be amended by providing that the county treasurer may make investigation of the estates of all deceased persons whether in this state or a foreign state; and investigation of all lands in this state passing from the deceased person, and providing that county attorneys shall appear where any petition is filed seeking exemption from administration.

2. **JANITOR SERVICE AT STATE HOUSE UNDER RESPONSIBLE HEAD.** That all janitor service of the state house buildings on the capitol grounds, except the Historical Building, be placed under the immediate supervision of the Adjutant-General, as Custodian, and that all janitors of the Historical Building be placed directly under the Curator.

3. **EXTEND THE POWERS OF EXECUTIVE COUNCIL OVER STATE EMPLOYEES.** That the State Executive Council have general supervisory powers over the various departments of the state with power to act upon the recommendation of the head of the department as to the number of employees, their distribution from one department to another, and the increase or decrease of their salaries from time to time, not in excess of appropriations for the same, and that the Retrenchment and Reform Committee be allowed the usual emergency appropriation for emergency purposes, and for meeting such emergency compensation for employees as is recommended by the Executive Council.

4. **RETRENCHMENT AND REFORM COMMITTEE TO PREPARE BUDGET OF ALL SALARIES.** That all statutes fixing salaries for officers and employees of the state at Des Moines, including all employees resid-

ing or working elsewhere, but directly under the department of the state at Des Moines be repealed, and that all salaries of such state officials and employees be presented by the Retrenchment and Reform committee or other committee, in a budget at each session of the legislature, and the legislature by resolution fix the salary budget for the succeeding biennium. In this manner the legislature will be fully advised and have before it after careful comparison by a joint committee of the legislature, the salaries of the various officers and employees of the state. Thus, the comparative compensation paid to state officers and employees will not be found lurking in the recesses of forgotten and obscure statutes, but will be brought out in the open where the legislature and the people may see them and where they can be easily compared and adjusted. This will give the opportunity also to the legislature to properly reduce excessive and unfair salaries and adjust compensation in proportion to the kind and quality of service. A large number of the officers and employees of the state already have their compensation fixed in this manner. It has not resulted to any great extent, in instability or variation of compensation paid by the state.

5. ALL STATE INSPECTORS UNDER DAIRY AND FOOD COMMISSIONER AS COMMISSIONER OF INSPECTION. That all state inspectors should be placed under one head or chief as the Dairy and Food Commissioner, but that the various inspectors should have their specific and independent duties. Thus, hotel inspectors should inspect hotels, eating houses and perform allied duties, but that no attempt should be made to require the same man to inspect both hotels, weights and measures in the same place, or city. It might be well to rename the Dairy and Food Commissioner and call him Commissioner of Inspections. That the Executive Council should have general supervision over all bureaus and departments of administration with the power of determining all matters of conflict between the various departments. In this connection it is thought that hotel inspectors should work under and be responsible to the Dairy and Food Commissioner, as Commissioner of Inspections, as there is no more reason why hotel inspection should be under the board of health than should be the inspection of foods which are consumed at the hotels.

#### 6. A SELF EXECUTING AUTOMOBILE LICENSE TAX LAW.

Your committee has given a great deal of time and investigation to the automobile license law. This committee of the Thirty-sixth General Assembly also presented extensive amendments to this law. The law has not proved satisfactory either to the legislature or to the people of the state. The Secretary of State has collected the automobile tax for Iowa at a cheaper percentage of cost per tax return than in some other states. The expense, however, of collecting the tax is by reason of the law, the kind of record kept and the unevenness of the work too expensive. The method of collection of the tax is inefficient. The evasion of the tax and delay in paying it is astounding. The tax is insufficient and the obtaining of numbers by the owner of the motor vehicle is exasperating.

The matter of enforcing the collection of the tax may be taken up in two ways; by handling the matter at the source of the tax at the secre-

tary of state's office,<sup>1</sup> or by depending upon the failure to obtain new numbers or some insignia thereon, and leaving it to the local peace officer to catch the individual or by a combination of both of these methods. A new number plate for each year is the simplest manner of catching the tax evader, but it has very serious difficulties. One is, the cost of the plates, amounting to \$87,000.00 per year. The second is that the automobile tax must be paid at a stated period in the year, creating a great peak load on the department handling the tax. The third difficulty is that it gives easy opportunity of changing the car or engine number with reference to license number, and successive plates are not easily distinguished. It has frequently been proposed that the license number remain the same, but that a cheap distinguishing character or seal be attached to the number for each successive payment of the tax. In the Thirty-sixth General Assembly the Retrenchment and Reform Committee proposed, and there was adopted, an amendment to the law providing for extending the use of number plates to three years, thereby saving \$57,000.00 per year. As a result of this change under the present system of collection the state has lost a great deal of revenue and the payment of the revenue has been enormously delayed. Your committee believes that the collection of the tax after the first year should be insured by better provisions at the source of the tax collection. The picking up of cars because they are not supplied with correct numbers or insignia by the payment of the tax is a gigantic failure. It being well known that cars carrying old numbers have been run for months without notice by the local authorities. It has been suggested that numbers could be kept permanent with the provision of putting on an insignia on the number plate indicating the time of the last payment of the tax. The chief difficulty with this is that cars will constantly be robbed of this insignia because of its uniformity, unless it have stamped upon it the license number corresponding with the car which would make it expensive and difficult of detection in passing a police officer. The committee believes that either permanent numbers should be supplied with warrants issued directly to a peace officer to capture the delinquent tax vehicle and that a published list of delinquent tax numbers in the hands of every peace officer, or that we should go back to the system of new plates for each tax period. The tax paying period, however, need not be confined to one year, but could be extended to three years with privilege of assigning to purchaser the right of the license fee for the unexpired term. It is well known too, that the county attorneys are more or less unsuccessful in collecting these taxes by letter, and this committee at a meeting in July, 1917, adopted a resolution requiring the secretary of state to furnish the attorney general a list of delinquent automobile tax payers, so that the attorney general might take action to compel the county attorneys to enforce the collection of the delinquent automobile tax. It is also desirable to provide some central place at which ownership and transfer of cars can be readily recorded and investigated. This is in the prevention of theft.

Your committee will later prepare an automobile license tax bill involving the following fundamental principles:

- A. Every resident of the state owning an automobile brought into and



used in the state of Iowa shall be subject to the tax and every nonresident owner using and keeping an automobile in this state the majority of the time shall be liable to the tax.

B. License tax fee to be paid to the treasurer of each county and the owner to receive on first payment a number-plate for his vehicle. The county treasurer to transmit to the secretary of state application for license, showing the license fee paid and the license number issued with vehicle or engine number, weight of car, model and name, and address of owner.

C. The secretary of state to issue to the owner a license receipt with name of owner, address, engine or vehicle number, and license number, and date of payment of tax stamped thereon by an addressograph machine.

D. The annual receipt for payment of tax to constitute a certificate of title, subject to any encumbrances of record in county of the owner. All sales and transfers of motor vehicle without transfer of certificate being void with provision of assignment of certificate to any purchaser of the vehicle.

E. Ten days before the expiration of the end of the year for which payment of license was made, an addressographed notice of the expiration of the license shall be sent to the owner of the car and if the license tax is not paid for the succeeding year a penalty will attach.

F. In five days after any license tax is due upon any vehicle, registered and licensed, the secretary of state shall send a warrant struck with the addressograph, name and address, vehicle and engine number, and the original date to the sheriff of the county where the owner resides, uses or keeps the vehicle and the sheriff shall collect the tax, penalty and costs by distress and sale if the same is not paid upon demand.

G. The sheriff to make return within five days after collection, and as to facts in cases in which the tax is not collected by reason of the vehicle not being found by the sheriff within five days after receiving the warrant, and the secretary of state shall cause to be printed a list of license numbers in their order with engine or vehicle numbers and the name and address of the last owner, which list shall be distributed to each peace officer in the state, and an additional penalty shall attach, and it shall be the duty of any peace officer finding any such numbered vehicle evading the tax to seize the same and notify the sheriff of the county of the license number, who shall immediately forward the secretary of state's warrant of distress for the collection of the tax unless the owner shall in the presence of such peace officer remit to such sheriff tax and penalty called for by such warrant and pay for the peace officer's costs.

H. The secretary of state shall supply to the treasurer of each county of the state number plates having stamped thereon IA. and the last figure of the year in which they are stamped, and as the last figure the number of the county in alphabetical order, and next, a serial number for that county that year. That the numbers shall be delivered by the county treasurer to owners of vehicles making application for license in the order of such

application, endorsing on the application the license number and engine or vehicle number, the name of the owner and address. Special numbers may be supplied by the secretary of state at Des Moines for motor vehicles of less than four wheels, having the last figures to indicate the year and having serial numbers for each year. For Polk County plates shall be obtained at secretary of state's office and payment of license tax made there.

I. An account shall be kept by the secretary of state of all moneys paid for motor vehicle license tax in the various counties, together with all moneys paid at the secretary of state's office, or received in collection of the license tax. Receipts from automobile tax shall go into the road fund of the county where the owner of the motor vehicle resides or where the motor vehicle is used, or kept when owner is non resident. Such road fund to be used and disposed of as is otherwise provided by law.

J. Dealers to be given license with dealer's license number plate for one service car, and for use on new or second hand cars kept for sale, only when such cars are driven for demonstration purposes, providing a penalty for the driving of such cars for private use or hire.

K. The amount of the license tax to be computed on the basis of weight of the car instead of rated horsepower or bore of cylinder, and so graduated as to approximate a fair rate of taxation as compared with other property of equal value in the average taxing district in the state.

L. The license period shall extend from the date of the secretary of state's license receipt, as issued, until one year thereafter, and that upon the assignment of any license receipt for the purpose of transfer of the car and the payment of a small fee the secretary of state shall issue a new license receipt covering the same period as the old to the new owner of the vehicle, changing the addressograph plate therefor.

M. Providing penalties for any evasion of the license tax law or fraud practiced in the use of numbers or names in connection therewith, and providing a penalty for failure to perform any of the duties and requirements of the act.

CLEM F. KIMBALL.

*Chairman Retrenchment  
and Reform Committee.*

APPENDIX A.  
RESOLUTION.

*Be It Resolved by the Retrenchment and Reform Committee that*

*WHEREAS*, by Chapter 6, Acts of the 36 G. A., the Iowa Commission on the Panama Pacific International Exposition was authorized to make certain expenditures of public moneys, and

*WHEREAS*, by said act it was provided that such funds needed by said Commission were to be drawn from the State Treasury upon approval of the State Executive Council and that said Executive Council should

audit and make an accounting and report of all such funds so drawn and expended, and

*WHEREAS*, questions have arisen over the expenditures of various items and the failure of the Commission to file proper vouchers for some of these expenditures, now

*THEREFORE BE IT RESOLVED* that upon investigation by this Committee of the expense report of 1916 of the Executive Council and of various items of expense as made in a report furnished by the Panama Pacific International Exposition Commission, this committee recommends that the State Executive Council further investigate the accounts of said commission and make an accounting and report of the funds drawn and expended by said Commission in so far as the same have not been fully audited and that suitable investigation be made by said Executive Council of such items for which there are no proper vouchers to the end that any property or funds of the State or any unexpended balances of said fund be returned to the State of Iowa, subject to the order of the Executive Council and that this resolution be embodied in the report of this committee to the legislature and that a copy thereof sent to the Executive Council.

#### APPENDIX B.

January 16th, 1919.

HON. CLEM F. KIMBALL, *Chairman*,

Retrenchment and Reform Committee.

I herewith submit a brief synopsis of a supplemental report that I am to make in connection with my regular biennial report rendered to the Governor in October 1918, and covering, briefly, the results of the experiment provided for by your Committee last August in the investigation of Collateral Inheritance Tax matters in the various Counties.

For the period from September 1, 1918, to January 10, 1919, the Field Tax Collector, or rather the Examiner, who I appointed to make the investigation, has found 195 Iowa estates, subject to the payment of Collateral Inheritance Tax, that have never been reported to this office and from which \$47,000 to \$48,000 has been or will be recovered, and a number of others in which the amount to be collected is at this time uncertain, but from which a considerable amount will be secured. In nearly every one of these estates the title of real estate is affected by the lien of this tax and thousands of acres of Iowa land and numerous town lots are subject to this lien. Much of the property is now in hands of innocent holders and early action will tend to making it possible to recover the tax from those who should have originally paid it.

Twenty-one foreign estates, those in which the deceased were residents of another state but died owning property in Iowa, have been found, but which has not been reported to this office, in which uncertain amounts are to be recovered.

One hundred eighty-three old cases, those that were reported prior to 1905, but have remained on the books of this office, some for over twenty

years, have been investigated, facts ascertained, many dismissed as not subject to the tax, collection made in some, and others placed upon a "live" list and one on the way towards adjustment.

No effort has been made to complete the investigation in any county but particular attention to the early cases, believing that it more essential in rendering service to the property owners of the State that the old cases be first found and giving beneficiaries an opportunity to pay the tax before great sums of interest accumulate and the whole becomes too burdensome, especially to the innocent purchasers.

Investigations have been carried on but in nine Counties and in those the surface has just been scratched.

This is briefly a statement of the dividends upon the investment made by your Committee.

Respectfully submitted,

(Signed) E. H. Hoyt,

*Treasurer of State.*

#### APPENDIX C.

##### Retrenchment and Reform.

For State Purposes, Including Assistants in the Various Departments  
S. F. 640-24-1915.

January 23, 1917, Balance Appropriation..		\$ 8,478.00
Custodian .....	\$401.98	
Secretary of State.....	500.00	
State Library .....	690.00	
State Veterinary .....	17.31	
Pearl L. Myers, Com. Clerk Senator Evers- meyers .....	21.00 (Itemized p. 2)	1,630.29

Balance of \$10,000.00 2nd year appropriation 36 G. A. unexpended,

June 30, 1917, and returned to treasury.....	6,847.71
	<u>\$ 8,478.00</u>

For State Purposes, Including Assistants in the Various Departments,  
Chap. 292-65-1917.

July 1, 1917, Appropriation .....		\$20,000.00
Commission of Labor.....	\$ 450.00	
Custodian .....	606.71	
Document Editor .....	60.80	
Historical Department .....	575.00	
Pharmacy Commission .....	41.88	
State Fire Marshal .....	375.00	
Superintendent Public Instruction.....	49.00	
Secretary of State.....	412.50	(Itemized pp. 3 and 4)
Treasurer of State.....	3,000.00	
Clem F. Kimball.....	37.61	
Bert Russell, Page.....	12.00	5,620.50

Unexpended balance of \$10,000 1st year returned to Treasury...	8,528.21	
Balance of \$10,000 appropriation for 1918.....	5,851.29	
		<u>\$20,000.00</u>

Extra Help for the Various Offices of the State Paid from Retrenchment and Reform Committee Appropriation, Jan. 23 to June 30, 1917.

Custodian Department.

A. Brigham .....	\$ 390.00	
C. P. Northrup.....	11.98	\$ 401.98
		<u>          </u>

Secretary of State.

Clara Bassett .....	\$ 34.67	
Jeanette Morris .....	26.00	
Hallie Rhodes .....	43.34	
Edith Beattie .....	21.66	
Jacob Russell .....	4.34	
Carrie Boatwight .....	65.00	
Irene Landers .....	75.00	
Corene Cooledge .....	75.00	
J. M. Fisch.....	65.00	
W. H. Little.....	32.50	
R. Huston .....	24.99	
H. C. Carr.....	32.50	500.00
		<u>          </u>

State Library.

J. H. Stover.....	\$ 390.00	
Mary M. Smith.....	150.00	
Louise Conrad .....	150.00	690.00
		<u>          </u>

State Veterinary Department.

P. L. Adams.....	\$ 17.31	17.31
		<u>          </u>

Retrenchment and Reform Committee.

Pearl Livingston Meyers (committee clerk Senator Eversmeyer) .....	\$ 21.00	21.00
		<u>          </u>

Total .....		<u>\$ 1,630.29</u>
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Extra Help for the Various Offices of the State Paid from Retrenchment and Reform Committee Appropriation, July, 1917, to Jan. 15, 1919.

Custodian Department.

W. R. Spry.....	\$ 30.00	
Chas. Shroppell .....	21.34	
A. C. Shaffer.....	20.00	
E. R. Truax.....	21.34	
F. J. Willis.....	20.00	
W. B. Winder.....	20.00	

J. W. Kelso.....	20.00	
C. Bogan .....	18.00	
Geo. McMahon .....	20.00	
C. T. Merrill .....	17.34	
E. L. Rollins.....	17.34	
W. M. Field .....	17.34	
Wm. Littler .....	8.67	
Joe Czizek .....	17.34	
J. R. Turner.....	15.00	
Nels D. Ford.....	15.00	
C. O. Titus.....	14.00	
C. E. Remington.....	14.00	
W. M. Willoughby.....	14.00	
Earl Collins .....	15.00	
A. Brigham .....	14.00	
Geo. Basley .....	14.00	
A. Carter .....	14.00	
Harvey Dorrell .....	14.00	
James Funk .....	14.00	
W. P. Glecker.....	14.00	
Geo. Hass .....	14.00	
Geo. Logan .....	14.00	
J. T. Offill .....	14.00	
L. M. Randles.....	14.00	
J. M. Russell.....	14.00	
A. W. Scott.....	14.00	
Trueman Stone .....	14.00	
C. Vennerstrom .....	14.00	
Claude Land .....	14.00	
Orville Goin .....	7.00	
Pindley Cox .....	14.00	
Curtis Van Nordstrand.....	7.00	
Mrs. C. W. Boutin.....	13.00	606.71

## Commission of Labor.

L. H. Needham.....	\$ 450.00	450.00
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## Document Editor.

Ora Williams .....	\$ 60.80	60.80
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## Historical Department.

Account error appropriation.....	\$ 400.00	
C. M. Schermerhorn.....	175.00	575.00

## Pharmacy Commission.

Harry B. Eaton.....	\$ 41.88	41.88
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## Retrenchment and Reform Committee.

C. F. Kimball } .....	\$ 37.61	
Wm. Peterson } .....		
Bert Russell, Page.....	12.00	49.61

## State Fire Marshal.

Clara Braumberger .....	\$ 150.00	
Grace C. Roe.....	225.00	375.00
	<hr/>	

## Secretary of State.

Estella Riddle .....	\$ 32.50	
R. E. Nichols.....	65.00	
H. Johnson .....	65.00	
Coy Gardner .....	65.00	
D. H. Hutton.....	65.00	
Glen Ward .....	32.50	
S. Anderson .....	32.50	
J. H. Reneker.....	32.50	
B. H. Shivers.....	22.50	412.50
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## Superintendent Public Instruction.

John Field .....	\$ 49.00	49.00
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## Treasurer of State.

For use in investigation Collateral In- heritance Tax, Field Expenses.....	\$3,000.00	3,000.00
	<hr/>	

## Retrenchment and Reform Committee Expense.

## Code Supplement 181-1915.

C. F. Kimball.....	\$ 55.90	
Rube McFerren .....	19.30	
H. I. Foskett.....	51.64	
J. C. Voorhees.....	24.24	
Douglas Rogers .....	30.85	
R. J. Johnston.....	43.20	
J. W. Balley.....	19.16	
N. J. Schrupp.....	90.38	
C. R. Hall.....	28.90	
Wm. Peterson .....	18.37	
Luella Nash .....	18.70	
	<hr/>	
Total Expended .....		\$ 400.64

## Secretary Account.

## S. F. 640-19-1915.

Balance Appropriation .....		\$ 450.00
Wm. Peterson .....	\$ 100.00	100.00
	<hr/>	
Balance unexpended July 1, 1917, returned to Treasury or charged off.....		350.00
		<hr/>
		\$ 450.00

## APPENDIX D.

Des Moines, Iowa, Dec. 23, 1918.

*To the Retrenchment and Reform Committee:*

GENTLEMEN:

Your sub-committee on grounds and buildings report as follows:

We have examined the conditions of the Capitol building and find that the hazard of fire in the attics immediately over the Senate chamber and the room now occupied by the Library is such that immediate attention should be given the same.

And we would respectfully ask that a resolution be adopted by this committee and presented to the 38th General Assembly recommending that they make an appropriation for the thorough fire proofing of said attics over the wing occupied by the Senate chamber and that occupied by the Library.

We are prompted to make this request by the fact that we find that the condition of the building in the said attics today are the same as the conditions were over the House chamber in 1903 when a fire occurred and it cost the State \$105,814.95, as shown by the Capitol Commission's report of 1909 on page 36, to repair the damage done. And a fire at this time in the Senate attic would be fully as expensive to the State, while should a fire occur over the Library the material damage would be just as great and it would be impossible to calculate the amount of damage that would be done in the way of destruction of books in the library.

H. I. FOSKETT,

J. W. BAILEY,

*Subcommittee.*

## RESIGNATION OF COMMITTEE CLERK.

Des Moines, Iowa, January 22, 1919.

*To Lieutenant Governor E. R. Moore:*

I hereby tender my resignation as committee clerk.

Respectfully submitted,

BERTHA E. HYDE.

Resignation accepted.

## VOTE ON UNITED STATES SENATOR.

The following communication was received and ordered printed in the Journal:

January 14th, 1919.

MR. PRESIDENT—I would respectfully herewith transmit to your honorable body, as required by section 1162 of the supplement to the code, 1913, an abstract of the returns of the vote cast at the general election, held in the state of Iowa, on the 5th day of November, 1918, for senator



in the congress of the United States, as certified and delivered to me under seal, by the board of state canvassers.

Respectfully submitted,

W. S. ALLEN, *Secretary of State.*

State of Iowa, ss:

We, the undersigned board of state canvassers of the state of Iowa, do hereby certify that at the general election held on the 5th day of November, A. D. 1918, there were three hundred fifty-two thousand one hundred five (352,105) ballots cast for the office of United State senator, of which Wm. S. Kenyon received two hundred thirty thousand two hundred sixty-four (230,264) votes.

Chas. R. Keys received one hundred twenty-one thousand eight hundred thirty (121,830) votes.

Scattering received eleven (11) votes.

We therefore declare Wm. S. Kenyon duly elected to the office of United States senator for the term of six years, beginning on the 4th day of March, A. D. 1919.

In testimony whereof, we have hereunto set our hands and caused to be affixed the great seal of the state of Iowa, at Des Moines, this 5th day of December, A. D. 1918.

W. L. HARDING,

*Governor.*

W. S. ALLEN,

*Secretary of State.*

F. S. SHAW,

*Auditor of State.*

E. H. HOYT,

*Treasurer of State.*

*Board of State Canvassers.*

#### CORRECTION OF JOURNAL.

The Journal of January 21st was taken up, corrected and approved.

Senate was at ease.

Senate resumed session, Senator Parker in the chair.

#### MESSAGE FROM THE HOUSE.

Chief Clerk Ramsay presented the following message 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 creation of a department of education.

Also:

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 invitation to be extended to Dr. Mott.

Also:

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

Concurrent resolution relating to the printing of the list of officers and standing committees of the Senate and House.

W. C. RAMSAY, *Chief Clerk.*

In response to an invitation, Miss Helen Frazer of England addressed the Senate on the work done by the women of her country during the war.

President Moore resumed the chair at 11:45.

#### HOUSE MESSAGES CONSIDERED.

*Be It Resolved by the House of Representatives of the Thirty-eighth General Assembly, the Senate Concurring:*

*That Whereas, Dr. John R. Mott, distinguished citizen of Iowa, and of international reputation, will be in the city of Des Moines on January 24, 1919; therefore be it resolved that an invitation be extended to Dr. Mott to address a joint session of the House and Senate at 2:15 p. m. on said date, and that the speaker and lieutenant governor be authorized as a committee to extend to him such invitation.*

By unanimous consent the resolution was taken up and considered.

On motion of Senator Fellows, the Senate concurred in the resolution.

#### CONCURRENT RESOLUTION BY WEAVER, OF POLK.

Concurrent resolution of the Thirty-eighth General Assembly, urging upon congress the creation of an executive department in the government to be known as the department of education, and for the appointment of a secretary of education who shall be a member of the cabinet:

Whereas, One result of the world war has been to bring to the attention of the nation as never before, the vital function of education in the furtherance of a sound civilization and for the protection of our national life, and

Whereas, The unification of the nation's life, in the light of differences of race, language and educational facilities, requires that this great subject, second to no other in vital importance, be conceded the dignity and have the comprehensive survey and consideration that would be afforded through representation in the cabinet; now, therefore,

*Be It Resolved by the House, the Senate Concurring:*

First, that the congress of the United States be and the same is urged to provide by appropriate legislation for the creation of an executive department in the government to be known as the department of education, and for the appointment of a secretary of education who shall be a member of the president's cabinet.

Second, that an engrossed copy of this resolution be forwarded to the senators and representatives of the state of Iowa in the congress of the United States for their consideration and such action as they may deem necessary in the premises to effect the end sought.

Passed on file.

#### REPORT OF JOINT COMMITTEE ON EXTRA HELP.

Senator Rule presented the following report:

MR. PRESIDENT—Your committee to whom was referred the employment of additional help for the Thirty-eighth General Assembly, beg leave to report that they have had the subject under consideration with the House committee, and the joint committee of the Senate and House join in the introduction of a joint resolution covering their recommendations, and recommend that the same do pass.

Respectfully submitted,

A. L. RULE,  
*Chairman of Senate  
Committee.*

A. O. HAUGE,  
*Chairman of House  
Committee.*

H. C. ADAMS,  
K. M. LECOMPTE,  
S. W. KLAUS,  
E. H. LARSON.

#### REPORT OF COMMITTEE ON ADDITIONAL HELP.

##### SENATE JOINT RESOLUTION NO. 3.

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

Section I. The custodian is hereby authorized and directed to appoint the following named persons who shall be designated as assistants to the custodian. Their duties shall be designated by him, and they shall be paid a salary of \$77.00 per month.

Peter Adams, T. P. Percefield, N. B. Bryant, J. S. Wilkinson, W. L. Wiley, Hugh King, William Abraham, C. F. White, A. I. Sarcone, H. E. Norton, James Williams, W. I. Locke.

Sec. II. The custodian is hereby authorized and directed to appoint three experienced elevator tenders at a salary of \$70.00 per month.

Sec. III. The custodian is hereby authorized and directed to appoint Miss Gertrude Hyde as assistant matron at a salary of \$60.00 per month.

Sec. IV. The secretary of state is hereby authorized and directed to appoint Earl Walters, James Rice, and Alice Scott for service as clerks at a salary of \$70.00 per month.

Sec. V. The document editor is hereby authorized and directed to appoint Fern Allen and Rollin H. Sigg for service in the document room at a salary of \$77.00 per month.

Sec. VI. The law librarian is hereby authorized and directed to appoint a stenographer in his office at a salary equal to the compensation of a committee clerk per month, and a messenger for the law librarian at a salary of \$45.00 per month.

Sec. VII. The custodian is hereby authorized and directed to appoint Mrs. Fred H. Gresham as a helper in the main post office at the state house at a salary of \$75.00 per month.

Sec. VIII. The custodian is hereby authorized and directed to appoint B. F. Howe assistant fireman at a salary of \$75.00 per month.

Sec. IX. The custodian is hereby authorized and directed to appoint Stanger Geyer as messenger and assistant to the chief engineer at a salary of \$60.00 per month.

Sec. X. All of the above appointments are hereby made subject to competency and may be removed at any time by the committee upon the recommendation of the head of the department, or the person authorized to make the appointment.

Sec. XI. All of the extra help herein furnished, shall be paid from the time of their beginning service.

Read first and second times and passed on file.

President Moore announced the following assignments of standing committees:

## SENATE COMMITTEES.

## WAYS AND MEANS.

## Senators:

Kimball, Chairman	Thompson
Whitmore	Meredith
Arney	Nelson
Ball	Shane
Evans	Proxam
Newberry	

## JUDICIARY (NO. 1).

## Senators:

Wilson, Chairman	Evans
Parker	Ratcliff
Kimball	Mitchell
Frailey	Reed
Kingland	Schaffter

## JUDICIARY (NO. 2)

## Senators:

Proudfoot, Chairman	Foster
Whitmore	Newberry
Thompson	Brookhart
Rule	Scott
Price	Byington

## APPROPRIATIONS.

## Senators:

Foskett, Chairman	Ratcliff
Adams	Kingland
Anderson	Reed
Fellows	Brookhart
Hale	White
Holdoegel	Stephenson
Smith	Byington
Foster	Horchem
Proudfoot	Edwards
Van Alstine	

## AGRICULTURE.

## Senators:

Coburn, Chairman	Buser
Newberry	Stoddard
Foster	Cessna
Arney	Scott
Meredith	Rainbow
Pitt	Nelson
Taylor	Balkema
Hale	White
Holdoegel	Stephenson

## HIGHWAYS.

## Senators:

Balkema, Chairman  
 Foster  
 Hale  
 Parker  
 Thompson  
 Ball  
 Buser  
 Greenell  
 Schaffter  
 Cessna

Smith  
 Pitt  
 Haskell  
 Kimberly  
 Kingland  
 Anderson  
 Stoddard  
 Nelson  
 White  
 Scott

## EDUCATIONAL INSTITUTIONS.

## Senators:

Fellows, Chairman  
 Schaffter  
 Edwards  
 Hale  
 Kimball

Taylor  
 Foskett  
 Proudfoot  
 Byington  
 Horchem

## RAILROADS.

## Senators:

Haskell, Chairman  
 Proudfoot  
 Balkema  
 Coburn  
 Kimball  
 Thompson  
 Whitmore

Kimberly  
 Stoddard  
 Pitt  
 Schaffter  
 White  
 Horchem

## PUBLIC UTILITIES.

## Senators:

Thompson, Chairman  
 Haskell  
 Kimball  
 Rule  
 Whitmore  
 Holdoegel  
 Edwards

Hale  
 Mitchell  
 Stoddard  
 Kimberly  
 White  
 Byington

## ELECTIONS.

## Senators:

Whitmore, Chairman  
 Smith  
 Coburn  
 Anderson  
 Edwards  
 Kimball

Proudfoot  
 Kingland  
 Rainbow  
 Stephenson  
 Broxam

## BOARD OF CONTROL.

Senators:	
Hale, Chairman	Fellows
Fralley	Rainbow
Ball	Greenell
Foskett	Horchem

## PUBLIC SCHOOLS.

Senators:	
Newberry, Chairman	Evans
Kingland	Scott
Balkema	Pitt
Smith	Nelson
Holdoegel	Stoddard
Fellows	Horchem
Arney	Byington

## BANKS.

Senators:	
Foster, Chairman	Shane
Adams	Arney
Van Alstine	Nelson
Holdoegel	Byington
Whitmore	Stephenson
Anderson	Ball

## CITIES AND TOWNS.

Senators:	
Parker, Chairman	Thompson
Whitmore	Wilson
Fellows	Kimberly
Arney	Rainbow
Fralley	Stoddard
Haskell	Greenell
Rule	Horchem

## INSURANCE.

Senators:	
Fralley, Chairman	Thompson
Ball	LeCompte
Fellows	Adams
Haskell	Ratcliff
Wilson	Kimberly
Foster	Brookhart

## COUNTY AND TOWNSHIP AFFAIRS.

Senators:	
Edwards, Chairman	Coburn
Evans	Ball
Schaffter	Ratcliff
Hale	Anderson
Price	Reed
Adams	

## FISH AND GAME.

Senators:	
Adams, Chairman	LeCompte
Price	Schaffter
Fellows	Scott
Fralley	Byington
Van Alstine	Meredith

## DAIRY AND FOOD.

Senators:	
Evans, Chairman.	Smith
Edwards	Schaffter
Newberry	Meredith
Kingland	Scott
Van Alstine	Broxam

## LABOR.

Senators:	
Pitt, Chairman.	Ratcliff
Price	Wilson
Whitmore	Kimberly
Haskell	Rainbow
Fralley	Horchem

## MINES AND MINING.

Senators:	
Price, Chairman.	Wilson
Edwards	Haskell
Whitmore	LeCompte
Parker	Meredith

## PUBLIC HEALTH.

Senators:	
Ball, Chairman.	Mitchell
Coburn	Meredith
Price	Horchem
Taylor	Stephenson

## SUPPRESSION OF INTEMPERANCE.

Senators:	
Taylor, Chairman.	Mitchell
Ball	Cessna
Foster	Horchem
Balkema	

## TELEGRAPH AND TELEPHONE.

Senators:	
Van Alstine, Chairman.	Foskett
Holdoegel	Shane
Haskell	



## CONSTITUTIONAL AMENDMENTS.

Senators:	
Kingland, Chairman.	Pitt
Ratcliff	Schaffter
LeCompte	Horchem
Taylor	

## DEPARTMENTAL AFFAIRS.

Senators:	
Holdoegel, Chairman.	Fellows
Foskett	Evans
Anderson	Rule
Pitt	White

## CONSERVATION.

Senators:	
Ratcliff, Chairman.	Shane
Fellows	Brookhart
Holdoegel	Stoddard
Schaffter	

## MILITARY AFFAIRS.

Senators:	
Rule, Chairman.	Mitchell
Frailey	Taylor
LeCompte	Brookhart
Evans	Scott
Anderson	Broxam

## PUBLIC BUILDINGS.

Senators:	
Anderson, Chairman.	Nelson
Newberry	

## PRINTING.

Senators:	
LeCompte, Chairman.	Brookhart
Proudfoot	Nelson
Ratcliff	Smith

## CLAIMS.

Senators:	
Smith, Chairman.	Scott
Coburn	Reed
Price	Rainbow
Rule	

## PHARMACY.

Senators:	
Broxam, Chairman.	Greenell
Price	Adams
Taylor	

## PUBLIC LANDS.

Senators:	
Meredith, Chairman.	Wilson
Arney	Pitt
Parker	Stephenson

## HORTICULTURE AND FORESTRY.

Senators:	
Mitchell, Chairman.	Meredith
Foskett	Broxam
Greenell	Horchem
Shane	

## LAND TITLES.

Senators:	
Reed, Chairman.	Foster
Kingland	Brookhart
Van Alstine	Cessna

## PUBLIC LIBRARY.

Senators:	
Scott, Chairman.	Reed
Balkema	Buser
Adams	

## CONGRESSIONAL, JUDICIAL AND REPRESENTATIVE DISTRICTS.

Senators:	
Nelson, Chairman.	Cessna
Coburn	Broxam
Edwards	

## COMMERCE AND TRADE.

Senators:	
Stoddard, Chairman.	Cessna
Haskell	Stephenson
Reed	

## PENITENTIARIES AND PARDONS.

Senators:	
Shane, Chairman.	Evans
Newberry	Nelson
Parker	

## CORPORATIONS.

Senators:	
Brookhart, Chairman.	Shane
Ratcliff	Byington
Parker	

## CHARITABLE INSTITUTIONS.

Senators:	
Rainbow, Chairman.	Brookhart
Coburn	Byington
Buser	

## MANUFACTURES.

Senators:	
Kimberly, Chairman.	Greenell
Van Alstine	Rainbow
Ball	

## MOTOR VEHICLES.

Senators:	
White, Chairman.	Buser
Balkema	Smith
Cessna	

## ENROLLED BILLS.

Senators:	
Schaffter, Chairman.	Meredith
LeCompte	

## UNGROSSED BILLS.

Senators:	
Buser, Chairman.	Stephenson
Haskell	

## RULES.

Senators:	
Cessna, Chairman.	Whitmore
Stoddard	

## RETRENCHMENT AND REFORM.

Senators:	
Kimball, Chairman.	White
Wilson	Stephenson
Foskett	

## BILLS ASSIGNED TO COMMITTEES.

Bills introduced prior to this date were assigned to committees as follows:

Senate File No. 1, by Smith, judiciary No. 1.

Senate File No. 2, by Van Alstine, judiciary No. 2.

Senate File No. 3, by Price, elections.

Senate File No. 4, by Byington, judiciary No. 2.

Senate File No. 5, by Schaffter, judiciary No. 1.

Senate File No. 6, by Buser, judiciary No. 2.

Senate File No. 7, by Wilson, insurance.

Senate File No. 8, by Wilson, penitentiaries and pardons.

Senate File No. 9, by Foster, highways.

Senate File No. 10, by Meredith, public schools.

Senate File No. 11, by Kimball, elections.

Allie Bristol appeared before the bar of the Senate and was duly sworn.

On motion of Senator Kingland, Senate adjourned until 10:00 a. m., Thursday.

# JOURNAL OF THE SENATE

SENATE CHAMBER  
DES MOINES, IOWA, JANUARY 23, 1919.

Senate met in regular session, President E. R. Moore presiding.  
Prayer was offered by Rev. H. W. Munster, pastor of the M. E. Church of Farmington, Iowa.

## PETITIONS.

Senator Parker presented a petition from the Inter-Church Federation of Iowa relative to the housing law.

Referred to committee on cities and towns.

Senator Frailey presented a petition from the Fort Madison Trades and Labor Assembly relative to the primary election law.

Referred to committee on elections.

Senator Anderson presented a petition from the Greene county supervisors relative to compensation.

Referred to committee on county and township affairs.

## INTRODUCTION OF BILLS.

By Senator Schaffter, Senate File No. 25, a bill for an act amending section two thousand five hundred and sixty-eight (2568) of the Code of 1897, relating to the local board of health in towns and cities, and making the health physician a member thereof.

Read first and second time and referred to committee on public health.

By Senator Schaffter, Senate File No. 26, a bill for an act amending section four thousand six hundred and sixty (4660) of the code, of 1897, relating to the distance witnesses may be compelled to travel upon subpoena from district and superior courts.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Buser, Senate File No. 27, a bill for an act to amend section 1571-m32 of the supplemental supplement to the Code, 1915, and providing for the apportionment of the motor vehicle fund.

Read first and second time and referred to committee on motor vehicles.

By Senator Smith, Senate File No. 28, a bill for an act to amend section twenty-three hundred and fifty-five (2355) of the code of Iowa in relation to partition fences.

Read first and second time and referred to committee on county and township affairs.

By Senator Hale, Senate File No. 29, a bill for an act making appropriations for the erection, repair and improvement of buildings, for appurtenances and connections thereto, for furniture, fixtures furnishings and equipment, for the purchase of land, for the purchase of live stock, farm machinery and equipment, for establishing and maintaining industries, for the purchase of clothing, food, fuel and supplies, and for improvements, equipment and appliances needed in any or all of the institutions hereinafter named, to-wit: Iowa Soldiers' Home, Iowa Soldiers' Orphans' Home, Institution for Feeble Minded Children, State Sanatorium for the treatment of tuberculosis, State Industrial Schools, State Hospitals for the Insane, State Penitentiary, the Reformatory, State Hospital and Colony for Epileptics and the Women's Reformatory.

Read first and second time and referred to committee on Board of Control.

By Senator Hale, Senate File No. 30, a bill for an act to amend section twenty-six hundred ninety-two-a (2692-a) and section twenty-six hundred ninety-two-c (2692-c), supplemental supplement to the code, 1915, as amended by the acts of the 37th General Assembly, relating to appointment and compensation of state agents by the Board of Control.

Read first and second time and referred to committee on Board of Control.

By Senator Hale, Senate File No. 31, a bill for an act to repeal section fifty-seven hundred eighteen-a4 (5718-a4) of the supple-

ment to the code, 1913, and to enact a substitute therefor, relating to the reformatory, at Anamosa, Iowa.

Read first and second time and referred to committee on Board of Control.

By Senator Hale, Senate File 32, a bill for an act authorizing the Executive Council to sell certain lands belonging to the State, and purchase other lands.

Read first and second time and referred to committee on public lands.

By Senator Whitmore, Senate File No. 33, a bill for an act in relation to the housing of the people in cities of the first class and special charter cities and cities under commission form of government, to promote the health, safety and welfare of the people by regulating the light and ventilation, sanitation, fire protection, maintenance, alteration and improvement of dwellings; to define the classes of dwellings affected by the act, to establish administrative requirements and to establish remedies and fix penalties for the violation thereof.

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

By Senator Parker, Senate File No. 34, a bill for an act to compensate J. C. Kuble for personal injuries received in a collision with an automobile owned by the state of Iowa and driven by one of its employees.

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

By Senator Parker, Senate File No. 35, a bill for an act to compensate Charles Berry for loss of certain horses and mules slaughtered by the state authorities on suspicion of having glanders.

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

By Senator Parker, Senate File No. 36, a bill for an act to repeal Section 2722-j of the supplemental supplement, 1915, to Code of Iowa and to enact a substitute therefor relating to financial aid from the county to the blind.

Read first and second time and referred to committee on county and township affairs.

By Senator Coburn, Senate File No. 37, a bill for an act to legalize the organization, incorporation, acts, transactions, plats, deeds, conveyances, and other instruments and acts executed and done by the Marcus & Amherst Cemetery Association of Cherokee County, Iowa.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Byington, Senate File No. 38, a bill for an act to amend section eight hundred sixteen (816) of the Code of 1897 relative to the levying of paving taxes.

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

By Senator Wilson, Senate File No. 39, a bill for an act to amend section fifteen hundred seventy-one-m-nineteen (1571-M-19) Supplement to the Code, 1913, relative to the care and prudence in driving to be exercised by drivers or operators of motor vehicles.

Read first and second time and referred to committee on motor vehicles.

By Senator Broxam, Senate File No. 40, a bill for an act to legalize a special election held in the City of Maquoketa, Jackson County, Iowa.

Read first and second time and referred to committee on judiciary No. 2.

#### LEAVE OF ABSENCE.

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

On request of Senator Greenell, leave of absence was granted Senator Kimberly for the day.

Senator Parker introduced the following joint resolution:



## JOINT RESOLUTION NO. 4 BY PARKER.

RELATING TO THE REINSTATEMENT TO THEIR FORMER APPOINTIVE PUBLIC POSITIONS OR EMPLOYMENT OF DISCHARGED SOLDIERS AND SAILORS.

*Be It Resolved by the General Assembly of the State of Iowa:*

That wherever a person has resigned or relinquished an appointive position, either as an official or employee of state, county or city, to enter the military or naval service of the United States, such person shall, at his request, be reinstated in such position or employment, upon his honorable discharge from the army or navy.

Read first and second time and referred to the committee on judiciary No. 1.

Senator Rule called up for consideration Senate Joint Resolution No. 3 relating to additional employees of the Thirty-eighth General Assembly.

Senator Ratcliff offered the following amendment:

I move to amend Senate Joint Resolution No. 3 by striking out section 4 thereof.

On motion of Senator Whitmore, further consideration of Senate Joint Resolution No. 3 was postponed until Friday at 10:30 o'clock.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Concurrent resolution relating to printing of legalizing acts.

W. C. RAMSAY,  
*Chief Clerk.*

## ASSIGNMENT OF COMMITTEE ROOMS.

Senator Smith presented the following report:

MR. PRESIDENT—Your committee on assignment of committee rooms reports the following assignments:

	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
Room 16—						
Board of Control.....		2 p. m.		2 p. m.		4 p. m.
Commerce and Trade.....	4 p. m.		4 p. m.			
Public Buildings.....		4 p. m.		4 p. m.		
Charitable Institutions.....	2 p. m.				2 p. m.	
Horticulture and Forestry.....			2 p. m.		4 p. m.	
Room 17—						
Mines and Mining.....	2 p. m.		2 p. m.		2 p. m.	
Pharmacy.....		4 p. m.		4 p. m.		4 p. m.
Departmental Affairs.....	4 p. m.			2 p. m.		
Conservation.....		2 p. m.			4 p. m.	
Public Lands.....			4 p. m.			2 p. m.
Room 18—						
Military Affairs.....			4 p. m.	4 p. m.		2 p. m.
Fish and Game.....	2 p. m.			2 p. m.		4 p. m.
Manufacturers.....		4 p. m.			2 p. m.	
Claims.....		2 p. m.			4 p. m.	
Land Titles.....	4 p. m.		2 p. m.			
Room 19—						
Telegraph and Telephones.....	4 p. m.				4 p. m.	2 p. m.
Dairy and Food.....		2 p. m.		2 p. m.		
Motor Vehicles.....	2 p. m.		2 p. m.			
Corporations.....			4 p. m.		2 p. m.	
Constitutional Amendments.....		4 p. m.		4 p. m.		
Room 20—						
Penitentiary and Pardons.....	2 p. m.		2 p. m.			
Public Libraries.....		4 p. m.			4 p. m.	
Cong. Jud. Sen. and Rep. Det. Printing.....	4 p. m.			2 p. m.		
Rules.....		2 p. m.		4 p. m.		
Room 21—						
Clerk (No. 1).....	2 p. m.		2 p. m.		4 p. m.	
Labor.....		2 p. m.		4 p. m.		
Public Utilities.....		4 p. m.			2 p. m.	
Insurance.....			4 p. m.	2 p. m.		
Engrossed Bills.....						2 p. m.
Room 22—						
ways and Means.....	4 p. m.	2 p. m.		2 p. m.		
Judiciary (No. 2).....	2 p. m.		2 p. m.		4 p. m.	
Railroads.....			4 p. m.			2 p. m.
Educational Institutions.....		4 p. m.			2 p. m.	
Public Health.....				4 p. m.		4 p. m.
Room 23—						
Public Schools.....				4 p. m.		2 p. m.
Cities and Towns.....		4 p. m.			2 p. m.	4 p. m.
Agriculture.....	2 p. m.		2 p. m.		4 p. m.	
Banks.....		2 p. m.		4 p. m.		
Suppression of Intemperance.....	4 p. m.			2 p. m.		
Room 24—						
Highways.....		4 p. m.	4 p. m.		2 p. m.	
Elections.....			2 p. m.		4 p. m.	
County and Township Affairs.....	2 p. m.			4 p. m.		4 p. m.
Approprations.....	4 p. m.	2 p. m.		2 p. m.		
Room 25—						
Journal Clerks.....						
Room 26—						
Secretary and Enrolled Bills.....						

ED. M. SMITH, *Chairman.*

J. J. RAINBOW.

EUGENE SCHAFFER.

On motion of Senator Smith the report was adopted.

## HOUSE MESSAGE CONSIDERED.

On motion of Senator Foskett, the Senate took up the consideration of the House substitute for Senate concurrent resolution on the printing of legalizing acts.

## HOUSE SUBSTITUTE.

*Be It Resolved by the Senate, the House concurring,* that no bills for legalizing acts be printed in the journals of either house, but that the Document Editor is hereby authorized to have such bills printed in bill form to the number of two hundred and fifty; provided, however, that where such bills seek to legalize the acts, proceedings, ordinances or resolutions of municipal corporations in reference to the granting of franchises or privileges of any kind to, or the fixing of rates of, private corporations, individuals or partnerships or seeks to legalize the acts of any particular private corporation, individual or partnership, the cost of printing such bills at the rate of One Dollar and fifty cents (\$1.50) per printed page, shall be deposited with the Document Editor, and the publication of all such bills referred to in this provision in newspapers shall be without expense to the State.

On motion of Senator Foskett, the Senate concurred in House substitute to the concurrent resolution.

## ALLISON MONUMENT RESOLUTION ADOPTED.

Senator Ball called up for consideration the resolution asking for information relative to the removal of the Allison monument.

On motion of Senator Ball the resolution was adopted.

## HOUSE CONCURRENT RESOLUTION.

On motion of Senator Smith, the Senate took up the consideration of the following resolution:

*Be It Resolved by the House, the Senate concurring:*

*Whereas,* the world war which has cost the lives of millions of men has come to a successful end through the united efforts of the people of this great State and Nation and also through the efforts of our gallant troops here and in Europe, many of which made the supreme sacrifice by giving their lives for the greatest cause in all history, and

*Whereas,* our people and thousands of our young men from this great State of Iowa are directly responsible for the triumph of democracy, and

*Whereas,* a great many of our soldiers have died to make the world a safe place in which to live, and

*Whereas,* no compensation can be made to adequately repay them for the great service they have rendered to this State and Nation, therefore

*Be It Resolved by the House of Representatives of the Thirty-eighth General Assembly of Iowa, both Houses concurring* that we do hereby extend our deepest sympathy to the relatives of those who have thus willingly given their lives so that the world may be free and also that we congratulate and thank those who have so readily responded to the call of the nation, and

*Be It Further Resolved*, that we express our heartiest gratitude to all the people of this great State for the united efforts they have made in this the greatest of all crises, and

*Be It Further Resolved* that this resolution be spread upon the journal of this House and that the Secretary of State be and he is hereby directed and instructed to obtain a list of those that have died and that he mail to their relatives a certified copy of this resolution.

Senator Smith moved that the resolution be referred to a special committee of three.

Motion prevailed.

The president appointed as such committee, Senators Smith, Pitt and Broxam.

#### CORRECTION OF JOURNAL.

The journal of January 22d was taken up, corrected and approved.

#### EXECUTIVE SESSION.

On motion of Senator Wilson, the Senate went into executive session.

Senate arose from executive session and resumed regular session.

On motion of Senator Rule, Senate adjourned until 10:00 a. m. Friday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 24, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. George Blagg, pastor of the Methodist Episcopal Church of Albia.

## PETITIONS.

Senator Broxam presented a petition from the board of supervisors of Jackson county relative to compensation of supervisors.

Referred to committee on county and township affairs.

Senator Balkema presented a petition from the Rock Valley Town and Country club relative to road improvement.

Referred to committee on highways.

## INTRODUCTION OF BILLS.

By Senator Price, Senate File No. 41, a bill for an act to regulate the practice of chiropractic and to provide for the examination and license of chiropractors and to provide for the maintenance of the board of examiners.

Read first and second time and referred to committee on public health.

By Senator Ball, Senate File No. 42, a bill for an act to amend section sixteen hundred fifty-two-d (1652-d) Supplement Code, 1913, relating to extinct churches.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Proudfoot, Senate File No. 43, a bill for an act to amend section thirty-seven hundred nine (3709) of the Code, relating to the time within which a motion for new trial may be made.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Rainbow, Senate File No. 44, a bill for an act to repeal section six hundred ninety-four-C3, Supplemental Supplement to the Code, 1915, and enacting a substitute therefor providing the method of submitting the proposition of the establishment of the municipal court, conducting the election, certifying result, appointment and election of judge or judges, clerk and bailiff, and providing that a judge may act as clerk.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Rainbow, Senate File No. 45, a bill for an act to amend the law as it appears in section ten hundred seventy-two of the supplement to the code, 1913, relating to the election of county officers.

Read first and second time and referred to committee on county and township affairs.

By Senator Kimball, Senate File No. 46, a bill for an act to amend section two hundred eighty-c (280-c) of the supplement to the code, 1913, and relating to the compensation of judges of the superior court in cities of 25,000 or over.

Read first and second time and referred to committee on departmental affairs.

By Senator Kimball, Senate File No. 47, a bill for an act to amend section twenty-nine hundred-a-six (2900-a-6) of the supplement to the code, 1913, and relating to compensation for surveyors surveying abandoned river channels, sand bars or islands.

Read first and second time and referred to committee on departmental affairs.

By Senator Ratcliff, Senate File No. 48, a bill for an act to amend section four hundred ninety-five (495), of the supplemental supplement to the code, 1915, relating to fees to be reported and paid to the county by the county recorder.

Read first and second time and referred to committee on county and township affairs.

By Senator Ratcliff, Senate File No. 49, a bill for an act to provide for the recording without charge by the county recorder

of the discharge papers of honorably discharged soldiers, sailors and marines who were in the government service during the late war with Germany.

Read first and second time and referred to committee on military affairs.

By Senator Ratcliff, Senate File No. 50, a bill for an act providing that soldiers' and sailors' widows be exempted from payment of fees for certified copies of public records required in matters of United States pension claims.

Read first and second time and referred to committee on military affairs.

By Senator Foskett, Senate File No. 51, a bill for an act to amend section one thousand five hundred seventy-b-two (1570-b2) supplement to the code, 1913, relating to the levy of taxes by township trustees for dragging purposes.

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

By Senator Foskett, Senate File No. 52, a bill for an act to legalize the reincorporation of the Page County Building and Loan Association of Clarinda, Page County, Iowa, and to legalize the election of officers of said association, the acts of said officers, its Board of Directors, the issuing of stock, the making of loans, and the purchase of and taking securities of said association.

Read first and second time and referred to committee on judiciary No. 1.

#### CONCURRENT RESOLUTION.

Senator Holdoegel offered the following resolution:

Concurrent resolution providing for the appointment of a joint committee of three members of the Senate to be named by the president of the Senate, and three members of the House to be named by the Speaker, to fix the compensation of the officers and employees of the Senate and the House, and report their action in that connection to the general assembly.

*Be it Resolved by the Senate, the House Concurring:*

That a joint committee be appointed, consisting of three members of the Senate to be appointed by the president of the Senate, and of three members of the House, to be appointed by the Speaker, to fix the compensation of the officers and employees of the Senate and the House and report the same to the general assembly for approval and action thereon.

By unanimous consent taken up considered and adopted.

The president appointed on such committee Senators Holdoegel, Fellows and Anderson.

#### RESOLUTION RELATIVE TO CAPITOL EXTENSION LEVY.

Senator Whitmore offered the following resolution:

Calling for report from executive council as to capitol extension levy.

*Be it Resolved by the Senate of the General Assembly of Iowa:*

*Whereas*, By the acts of the Thirty-fifth General Assembly a tax was imposed for the purpose of capitol extension, and

*Whereas*, No complete report up to date has been received of the receipts and disbursements, therefore

*Be it Resolved*, That the executive council is respectfully requested to furnish to the Senate on or before February first, 1919, the following information:

(1) The amount actually expended for the purchase of grounds under the capitol extension act.

(2) The amount actually expended for the improvement of such grounds.

(3) The amount of cash now on hand in the capitol extension fund.

(4) The amounts received, separately, for rents, sales and all sources other than the tax levy.

(5) The amount expended for agents' commissions.

(6) The amount of ground, if any, still remaining unpurchased and not contracted for and probable cost thereof.

(7) The ground contracted for and not yet paid for, indicating the property and the amount to be paid for each piece and the total amount to be paid.

(8) The amount of interest-bearing warrants or certificates in issue under the provisions of chapter fourteen (14), acts of the Thirty-fifth General Assembly, if any outstanding and unpaid.



(9) The amount of any other outstanding indebtedness, obligation or pledge in connection with said public work.

(10) Whether there are any streets not vacated by the city of Des Moines within the capitol extension area.

(11) How much appears to the credit of the capitol grounds extension improvement fund?

(12) How much, if anything, has been realized from the sale of real estate in Governor's Square?

(13) How much of the real estate in said square has been contracted to be sold and what is the gross amount unpaid on such contracts, if any?

(14) What amount of real estate in said Governor's Square has not been sold or contracted to be sold?

(15) What amount has been annually received each year from the special tax for capitol extension?

(16) That if the council have available it furnish with its reply 200 copies of printed plat showing such grounds, blocks, lots, streets, etc.

Laid over.

By unanimous consent Senator Hale withdrew from further consideration Senate File No. 30.

#### CONSIDERATION OF JOINT RESOLUTION NO. 3.

The time having arrived for consideration of Joint Resolution No. 3 it was taken up and further considered.

The following amendment offered by Senator Ratcliff was taken up:

I move to amend Senate Joint Resolution No. 3 by striking out Section 4 thereof.

Senator Ratcliff asked for a roll call.

On the adoption of the amendment the vote was:

Ayes—14.

Anderson  
Arney  
Ball  
Brookhart  
Broxam

Buser  
Fellows  
Foster  
Price  
Ratcliff

Shane  
Smith  
Stoddard  
Wilson

## Nays—31.

Adams	Horchem	Proudfoot
Balkema	Kimball	Rainbow
Byington	Kimberly	Rule
Cessna	LeCompte	Schaffter
Coburn	Meredith	Scott
Edwards	Mitchell	Stephenson
Evans	Nelson	Taylor
Foskett	Newberry	Thompson
Greenell	Parker	White
Hale	Pitt	Whitmore
Holdoegel		

## Absent or not voting—5.

Fralley	Kingland	Van Alstine
Haskell	Reed	

The amendment was lost.

Senator Rule 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 be adopted?" the vote was:

## Ayes—42.

Adams	Foskett	Pitt
Anderson	Foster	Proudfoot
Arney	Greenell	Rainbow
Balkema	Hale	Rule
Ball	Holdoegel	Schaffter
Brookhart	Horchem	Scott
Broxam	Kimball	Shane
Buser	Kimberly	Stephenson
Byington	LeCompte	Stoddard
Cessna	Meredith	Taylor
Coburn	Mitchell	Thompson
Edwards	Nelson	White
Evans	Newberry	Whitmore
Fellows	Parker	Wilson

## Nays—1.

Ratcliff

## Absent or not voting—7.

Fralley	Price	Smith
Haskell	Reed	Van Alstine
Kingland		

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

#### HOUSE CONCURRENT RESOLUTION.

Senator Parker called up for consideration the following resolution:

Concurrent resolution of the Thirty-eighth General Assembly, urging upon congress the creation of an executive department in the government to be known as the department of education, and for the appointment of a secretary of education who shall be a member of the cabinet:

*Whereas*, One result of the world war has been to bring to the attention of the nation as never before, the vital function of education in the furtherance of a sound civilization and for the protection of our national life, and

*Whereas*, The unification of the nation's life, in the light of differences of race, language and educational facilities, requires that this great subject, second to no other in vital importance, be conceded the dignity and have the comprehensive survey and consideration that would be afforded through representation in the cabinet; now, therefore,

*Be It Resolved by the House, the Senate Concurring:*

First, that the congress of the United States be and the same is urged to provide by appropriate legislation for the creation of an executive department in the government to be known as the department of education, and for the appointment of a secretary of education who shall be a member of the president's cabinet.

Second, that an engrossed copy of this resolution be forwarded to the senators and representatives of the state of Iowa in the congress of the United States for their consideration and such action as they may deem necessary in the premises to effect the end sought.

President Pro Tem Arney assumed the chair at 10:50.

President Moore resumed the chair at 11:00 o'clock.

Senator Parker moved that the Senate concur in the resolution.

On the question, "Shall the resolution be concurred in?" the vote was:

Ayes—16.

Adams  
Anderson  
Coburn  
Foskett  
Holdoegel  
Horchem

Kimball  
Kimberly  
LeCompte  
Newberry  
Parker

Rainbow  
Rule  
Schaffter  
Stoddard  
Taylor

## Nays—30.

Arney	Fellows	Proudford
Balkema	Foster	Ratcliff
Ball	Frailey	Scott
Brookhart	Greenell	Shane
Broxam	Hale	Smith
Buser	Meredith	Stephenson
Byington	Mitchell	Thompson
Cessna	Nelson	Van Alstine
Edwards	Pitt	Whitmore
Evans	Price	Wilson

## Absent or not voting—4.

Haskell	Reed	White
Kingland		

The Senate refused to concur in the resolution.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Concurrent resolution relative to compensation of officers and employes of the Senate and House and the Speaker appoints as members of the committee on the part of the House, Representatives Wichman, Klaus and Giltner.

W. C. RAMSAY,  
*Chief Clerk.*

## LEAVE OF ABSENCE.

On request of Senator LeCompte, leave of absence was granted Senator Kingland for the day.

On request of Senator Hale, leave of absence was granted Senator Haskell for the forenoon.

On request of Senator Rule, leave of absence was granted Senator White for the day.

## CORRECTION OF THE JOURNAL.

The journal of January 23d was taken up, corrected and approved.

## EXECUTIVE SESSION.

The president announced the receipt of a communication requiring an executive session.

On motion of Senator Whitmore, the Senate went into executive session.

The Senate arose from executive session and resumed regular session.

On motion of Senator Proudfoot, the Senate adjourned until 1:45 p. m.

## AFTERNOON SESSION.

Senate met pursuant to adjournment at 1:45 p. m., President Moore presiding.

A committee from the House appeared and announced that the House was ready to receive the Senate in joint session. The Senate proceeded to the House chamber under direction of the sergeant-at-arms.

## JOINT SESSION.

President of the Senate, Hon. Ernest R. Moore, in the chair.

President Moore announced a quorum present.

Williams of Pottawattamie moved that a committee of four be appointed to notify Dr. John R. Mott that the joint session was ready to receive him and to escort him to the speaker's desk. Motion prevailed and the president appointed as such committee, Representatives Williams of Pottawattamie and Beeman of Allamakee, and Senators Taylor of Buchanan and Fellows of Allamakee.

Dr. Mott was escorted to the speaker's desk. Williams of Pottawattamie, in presenting the Hon. John R. Mott, made the following remarks:

*Members of the Senate and House of Representatives of the Thirty-eighth General Assembly:*

We are especially honored on this occasion to have with us this busy man of world activities. He represents the potential force of the young manhood of the land—those virile qualities which have been so recently demonstrated in our conflict with the Huns.

You are all familiar with the effectiveness of the "Y" forces in peace and war, under the leadership of Dr. Mott. Iowa is proud to have produced the generalissimo of this aggressive organization. Dr. Mott is one of the service stars of this great state, having grown to manhood and received his early education here. By his achievements he has added lustre and glory, not alone to this state, but he belongs to the history of the world.

It is a great pleasure to me to present to you our beloved Dr. Mott.

DR. JOHN R. MOTT.

I value more highly than I can well express the special honor of being permitted to have fellowship and intercourse of mind with this body of men of wide outlook and of proved responsiveness to the highest and deepest purposes which are moving our generation and our nation.

It has been my opportunity to visit Russia four times during the past twenty years. The first of these visits was made approximately twenty years ago. At that time I found Russia very inaccessible. I might almost say it was a closed land and a closed people. One was reminded vividly of being shut up in a stuffy room without any opening, and with the consciousness of the presence and working of deadly influences. If I had been found on a street car in the presence of five other men in conference, all of us would have been subject to arrest. Such gatherings as I then held, I held between midnight and four o'clock in the morning, in secret. It was a presumptuous thing to do, not so much because of risks which I ran for myself, as because of dangers which I incurred for others. I went away from Russia at that time with a sinking heart, honestly never expecting to live to see the day of larger liberty for the great Russian peoples.

I returned to that land about ten years later. At that time the Holy Governing Synod, for centuries the most powerful organ in that land of autocracy, was anxious to keep me from delivering my message to the students and other classes of Russia. But they had in power then Stolypin, one of the strongest of the statesmen of the old school of Russia, and

he as premier was anxious that I have what we call in this country, a "square deal," and therefore, unlike my experience of ten years before, on this occasion the largest theaters and halls and government buildings in the great cities of Russia would not hold the multitudes of intellectuals and professional men and leaders of industry and of the affairs of the state, men and women who came together to listen to the discussions involving the principles that underlie the strongest civilizations. They insisted on my giving not one address or lecture, but it was never less than three, and sometimes four. And every word had to be said through interpreters. My two interpreters like myself, each one of those nights, came out of those meetings and never-to-be-forgotten experiences, completely exhausted. The police would not allow the people to get in the aisles, but in every great Russian theater there is a large area in front, something like here, and they would stand there, so that not only was every seat taken, but every standing place in those areas, right up almost touching my face, was taken by those eager Russian people. I shall not to my dying day forget those seas of Russian faces stretching out to the outer limits of those great halls. It seemed to me as my eye traveled over those faces, that every one of them seemed to bear the mark of tragedy. I fancy I am well within accuracy when I say that there was seldom one within those great crowded halls but had contemplated suicide himself, or did not belong to a family in which there had been suicide, or people subjected to banishment or harsh oppression, because they had permitted themselves to think, or to voice the deepest emotions of their hearts. Although I could not speak Russian or understand it, and half of my audience knew no English, they would throng around me in the streets, they would come to my hotel not only on the times that I had said I would meet with them and discuss matters vital to them, but at the most unheard of times likewise. They seemed to think "if we can get near this man, who has come to us with a message of hope from a land of hope, possibly we can find something that will help us in our stern adversity, and enable us to meet our impossible tasks." I went away from Russia that time, not with a sinking heart, but a bounding heart, believing that I saw the beginning of the crumbling of the great wall.

I went back there on my third visit nearly three years ago. Some of you know that, because of the gracious courtesy accorded by the two Houses some three years ago, when I spoke about the prisoners of war, for America had not entered the war. You will remember that that visit was made solely in the interest of the Russian prisoners, of whom there were then over a million languishing—Oh, what a faint word—in Germany and Austria Hungary, where I had visited them. The news of what I had been permitted to do, as an American, for the officers, soldiers and sailors who were prisoners, had traveled before me, and they could not do enough for me. That high and holy governing synod that had tried to keep me out on the occasion of my second visit, and as I have learned since, they had passed a secret resolution that I should not be permitted to return to Russia, welcomed me with open arms, and its high procurator summoned me to his palace before leaving Russia, and presented me with an illumined copy of the gospels with the highest expression of apprecia-

tion he could give, not only of personal but the national appreciation of the services we had rendered Russia in her trying hour. I left Russia then believing that I would live to see the day of the new freedom sweeping over those benighted peoples. And so it turned out.

A year after that President Wilson invited me to go as a member of the special diplomatic mission, of which Senator Root was chairman. We coursed our way slowly twice the breadth of Russia, going by the Pacific route. The revolution had come, and that old imperial train with its nine or ten beautiful blue cars that had been used for about twenty years only by the czar and his attendants, was now for the first time used for other purposes, and the members of the Root mission in the parlor car where the czar had abdicated, held our daily councils while crossing Siberian Russia, in helping to plan to bring about a co-operation between the old democracy of America, and the new democracy of Russia. We crossed the breadth of that wide land—a land that stretches nearly one-third the distance around the world, located in the belt of power where we find the other great nations such as England and France, Canada and the United States, Japan and China, a land blending the strongest strain of Europe and Asia, a land having the three most vital and conquering religions, Christianity in its three forms, the Greek Orthodox, the Roman Catholic church with its five million members there, chiefly in Poland, and the Protestant body numbering about five millions in Finland and the Baltic provinces, and that second, or what I call the second and most vital religion, the Jewish faith, for I remind you that there are more Jews in Russia than in all the rest of the world. And the third of the conquering faiths, the Mohammedan. Contrary to public opinion, there are about twenty-five millions of Moslems in Russia.

I remember when I was going to Russia on my second visit, Roosevelt was our president. I went to see him and said to him: "Mr. President, would you not like to send a message to the leaders of the coming Russia?" and he said "I certainly would." And he dictated hot from his brain, a wonderful message that I shall ever value, and which I have in my possession. It was a four page letter to the young men of Russia. In that letter he had a sentence that I could not in those days fully accept, but I understand it now with full knowledge and conviction, in which he said: "No land more than Russia holds the fate of the coming years." How prophetic! What pregnant generalization, but it is going to be felt in these immediate years before us.

I want to pause right here to say that I, with you, highly resent many of the charges that I hear regarding the Russian peoples. How superficial they are—how injurious they are, and how unpatriotic they are when we remember the prices paid by Russia as an ally. Let us track these insinuations to their sources and prevent them in these coming days. I have large charity for the Russian peoples when I remember the impossible thing they had to do. What people have you ever known or of whom have you read, who simultaneously had to deal with these four great undertakings that I shall now mention. In the first place to be involved in the greatest war of the world. Nobody disputes that Russia



did that. At the time of my third visit, she had thirteen million men under arms. In the world war there were summoned to the colors sixteen millions. Three years before we saw our duty and seized it, Russia maintained a front of twelve hundred miles alone. She did not have on one side, as the splendid army of France had, Australia and Canada and New Zealand, and on the other hand the army of Italy, and our own. There she stood in splendid isolation, bearing an impossible strain, preventing the Germans reaching Paris beyond shadow of doubt, by hurling her bodies against eastern Prussia.

In the second place she not only had her share in the world war—she have never paid any such price. She not only had her full share in this war, and was fought to a stand and to a fall, but in the second place she was simultaneously engaged in the greatest political revolution of modern times. I do not at this time recall a greater in the middle ages or any other. A revolution that has already swung her from an extremely cruel—Oh, how cruel—autocracy, never to go back there, out into what? To what seems to us will some day more likely be several well-ordered democratic republics. That is a great problem, enough to engage any people. Along with that we had our hands full with the first of it.

In the third place, along with those two great undertakings, she was obliged to give herself to the great social revolution. I say no land has ever had a greater social revolution than is now convulsing Russia. Somebody said to me the other day—a council of perfection, by the way—why could not Russia put off her social revolution until she had accomplished her political revolution? Did you ever know any people that could put off their social revolution? It can no more be done than you can stop the rise and fall of the tide. With a naive simplicity which is almost tantalizing, and with a courage and a reality that put the United States, France and the others to shame, Russia has faced up to the social injustices, social negligence and social cruelties from which we still quail, and she is being condemned for it. I am not defending her practices, but I am trying to give her a greater tolerance, as we are reminded of what she was called upon to do.

This would seem to be enough, would it not? But in the fourth place, she is engaged in the greatest religious revolution that has shaken any country for centuries, a religious revolution that has already brought about a marvelous tolerance. I wonder if I am awake when I use the word "tolerance" with reference to Russia, for a day has come when the Protestant, Roman Catholic and countless other sects are on a level. Can it be that the time has come when the Roman Catholics of Poland will not be massacred more? Can it be that the Protestants of Finland are going to be able to breath and speak—and what people have been more persecuted? Can it be that the old believers and those other strange sects can now come up out of the valleys and worship God according to their own forms and convictions? That revolution is bringing about the democratization of the Russian people. I myself, and Mr. Charles R. Crane, were permitted to stand in the high chancels of the great cathedral of Moscow, two men of another faith, and witness in the most demo-

cratic fashion, the election of the high procurator of Moscow, and while we were there twelve bishops were elected by like democratic methods, and thousands of the clergy, head of the so-called western democracy. That reformation of the Russian church is bringing about its purification almost unbelievable to those of us who know Russia, and shocking scandals that you would shrink from in horror have given place to lives of holiness and right on every hand among a people that have paid prices, and they can scale up the efficiencies of the church, that has been looked upon as the most backward of churches.

I was one day invited as a layman—and it seems absurd as I think of it—to spend a day with the commission appointed to improve the training of the priesthood of the Russian Orthodox church of about twenty-five million members. I did the best I could to point them to a better day.

Now I say, what land has been simultaneously called upon to deal with four great upheaving movements of the kind I have described? Well may there spread over the American people, remembering the years that it took them to win well ordered liberty, a feeling of tolerance for the groping, misguided Russian peoples. I say "peoples" advisedly: There is more than one people. One of the most apt words I have heard about Russia was this word of a Russian: He said: "You may not understand Russia, but you must believe in Russia." Now I am free to say right here that I do not understand Russia. At the end of my first visit I had almost the audacity to write a book on Russia, but you would not draw me now on an interview. I may not understand Russia, but I want to say that I never so much believed in Russia as now. I will give you my reasons.

In the first place, because of the characteristics of the Russian peoples, taking them as a whole, and we have long since learned not to judge any people or any movement by fractions. Russian peoples have great physical vigor and vitality. Of this you are reminded on every hand from Vladivostok to the Baltic, and down to the Black Sea—a bounding vitality. Contrary to the general view, they likewise have unusual mentality. You and I are here, virtually living in a water-tight compartment with our lack of knowledge of the Russian literature, and therefore of the Russian courage and originality and germinating power of thought. They have likewise great hearts. I have visited now forty-six nations in my world travels, but the Russian peoples have impressed me as being the greatest hearted people I have ever met. I predicted in the first years of the war that Russia would be the first nation to forgive, although she has more to forgive than any other nation, unless it be Belgium or Serbia. The Russian likewise has a great religious instinct and nature. I think I may say that they are the most religious people I have ever known, excepting the British East Indies. Even an agnostic in Russia—and they have got millions of them—is more responsive to the note of reality in religion than many of the so-called believers in our religious countries. I think this is proved by every test. Why, death is a mere detail for a Russian, if it lies in his path toward an ideal. More Russian students commit sui-

cide every year than all the rest of the world, because they think they see a light, and are ready to pay the price. They are in the dark.

That reminds me of the idealism of the Russian that has lifted them off the ground. They have exasperated the allies, many times, but our president has not lost his faith in them. How many of us have lost our patience with them? But let us remember their idealism, and along with that, let us remember their patience. Can you recall any people that have convinced you of being more patient, and with that put this great trait of their capacity for vicariousness and suffering. What people have given more proof of their ability to suffer for great causes? Now I maintain, on traits like these, there will arise to greatness in our life time, one of the great nations, or chains of nations, of the world. Of this I have no doubt.

The second ground of my confidence in the Russian peoples—notice my language, "the Russian peoples"—is the strength of the leaders with whom we were thrown while crossing that land. We were there at the time of the Kerensky regime. Kerensky was one of the great magnetic personalities and geniuses, a man about thirty-four years of age. Then there was Teresky, one of the so-called sugar kings of Russia, a man under thirty-four years, and one of their foreign ministers. Senator Root agreed with me that we had met no statesman who had impressed us more favorably. Then there is Terrachilli, another brilliant man of the cabinet, and I am free to say that in my visits to the five warring nations, I found no stronger combination than that one then in power. But what means more to me, there is the second strong man, and the third strong man was quite as strong.

A serious thing at the present moment in Russia is that other elements have come to the ascendancy, and I do not speak too strongly when I say that the brains are being dashed out of the leadership of Russia, but there are other brains behind them. You cannot dash out the brains of leadership forever. Others spring up to take their places: they have got them there in their ranks.

Another ground of my confidence that Russia will emerge—let us not lose patience, you remember that other nations were in the dark, and it took them a long time to find their feet—the third ground of my confidence is the principles of the Russian revolution. The more closely you study them, the more you will agree with me when I say that among them are the principles that led to the founding of the United States of America as a republic, and the deeper you penetrate them, the more you will agree with me when I say that the great principles of that revolution were those that led the United States itself to join the allies in the late war. Therefore, we must believe in Russia, or believe our own convictions.

That reminds me of the fourth ground of my confidence; the great ground swell of democracy which I find surging, rushing and overleaping the banks from one end of Russia to the other. The deeply moving and pathetic aspect of it was that it was not adequately prepared and not adequately ready, and it is leading to this strange, disappointing and baffling aspect, not altogether peculiar to this revolution. You will re-

member the French revolution, and those of other lands. I see them now like a tumultuous sea, swept by great cross currents and by conflicting winds, without true guides, and I have a heart of sympathy for them, as you and I always have for every great democratic movement that attempts to put away an evil past, with cruelty and darkness. But somebody says "how does what you are telling us square with the headlines of our papers? How do you right up your statements with what we saw a few months ago, of the crumbling and disintegrating of the Russian army when we most needed it?" Yes, I am familiar with that. I have visited those fronts. I mingled with those soldiers for seven thousand miles, twice daily; I had fellowship with them. I had my representatives among them from one end of Russia to the other, and I know that situation. And as I now tell you why the Russian army and navy crumbled, and why the people outside of the army were demoralized, ask yourself this question: What people on this earth would not have had their morale weakened if subjected to similar causes to those I am now going to mention.

The first one of these causes explaining the demoralization of the Russian peoples, including their army, was war tiredness. There is no doubt about it: Russians were tired of the war, and I am not surprised that they were. They had laid away on those marshes, and in the wide table lands of Galicia, and in the valleys and mountains of Roumania, and on the uplands of Armenia, and in the passes of the Caucasians, three million five hundred thousand of their sons, brothers and fathers. I think the death rate of the United States has been considerably less than one hundred thousand overseas, and if we counted the epidemic in its deadly work in our army camps, it would probably carry us a little past the one hundred thousand mark. Three million five hundred thousand graves! Besides that, two million more of their men—I see them now, so mutilated and maimed that they could never fight another battle. Besides that, over two millions more were sent into those infested prison camps, under those galling, grinding working mountain passes, and in Germany, Austria Hungary, Bulgaria and Turkey. You have seen in the papers in the last ten days that it is estimated a million died in those camps. That is exaggerated. But the thousands that did survive, my workers tell me, are tottering to their graves, with the seeds of disease planted in them. Emaciated, without food and clothing, very few will reach their native land as able bodied men. I am not surprised that war tiredness swept over the Russian peoples.

Another thing that explains their demoralization was the consciousness—first it crept slowly, then rapidly—of the conviction that they had been betrayed by their own government, by two if not three of their ministers. You will remember Sturmer's betrayal. I heard rumblings of that when I was there three years ago, but did not understand it entirely until the time of the Root mission. Then we learned of the order that had been passed down the lines, that no gun should be shot more than two times daily, although there was plenty of ammunition on hand. Dr. Hurd, the Red Cross doctor, who went over early and stayed until the end of the war, and came back on our government ship, told us he saw one hundred

thousand go into a battle, and less than ten thousand come back. But the worst phase of it was that a great majority went into it without ammunition, and put their vigorous bodies up against shot and shell and cold steel. I resent bitterly any charge I ever hear about the lack of courage and sacrifice of the Russian soldiers. I know better.

There is a third cause explaining the demoralization of the Russian people in uniform and outside of uniform, and that is the working of the bewildering and fascinating ideas of the Russian revolution. Now I am going to ask you to do a very difficult thing; in fact, it is impossible. I am going to ask you to try to imagine this that I am now going to mention, coming to your mind with the absolutely certain knowledge that they were going to stay with you as actual experiences. Here was one of the ideals of the Russian revolution that came to those people: Light, instead of darkness. Well have the Russian people been called "dark people." Nearly 90 per cent of them are illiterate. Then suddenly noon-day sun breaks, and every peasant family knows that now my children and their children can have educational advantages.

Imagine this idea coming to you for the first time: Liberty instead of slavery. What a faint word slavery is to express the lot of the Russians before the revolution. Then suddenly they hear the shackles break and fall clanking at their feet, never to be re-formed, and the glad consciousness seizes them: "Through all the coming days we and our descendants can walk upright as free men." Imagine this third idea coming to you for the first time. We cannot imagine it here in Iowa, in this state of splendid prosperity, where there is plenty instead of adversity and poverty. What do not those two words connote to those of us who know Russia! To those of us here in comfort this afternoon, and our families back in the home towns in abundance, I remind you that not hundreds, or thousands, but millions of Russian people are starving to death. And this is not the first generation of which this has been true. Then suddenly a new hour has come; it is going to be possible for us all to have the necessities and some day possibly the luxuries. Now, my friends, you are fair and open minded. Are you surprised that ideas like this coming for the first time to a simple minded peasantry, proved to be more alluring, more absorbing, than ideas of continued slaughter and death? Would they be less than human, knowing of their starving children and the freezing members of their families, were they not played upon?

That leads me to the greatest cause of all, the masterly German propaganda. How they put the allies to shame! The day the revolution began, all the prisoners were released; the death penalty was abolished. Every policeman was dismissed. One hundred and eighty-five million people started out on a first holiday for the most of them, and they have not returned. Germany was there! Oh yes, you say, I understand she was in Finland in goodly numbers. Yes, you say, I understand she was in the Baltic provinces. She was there in great numbers. She was in Sweden ready for that day, and she was along that fighting line. I am not talking of fighting, I am talking of publicity men, and the posters, and the best trained writers and speakers that Germany had produced were

there. Yes, and I say it with humility, there were hundreds there with American passports that had come via Vladivostok and Archangel from the United States of America. They were there with millions at their disposal. We estimated they were spending three million dollars a month on propaganda, and all the allies combined while we were there, were spending less than thirty thousand dollars a month. And it was masterly propaganda. They started papers; they bought up papers; they maneuvered to get control of papers and brought out masterly editions of papers and literature, translated in many dialects. I have in my office samples shot over from the trenches in those days. Not only did they use the printed page for the Russians who could read, but they also went among the workmen and soldiers, and they did a thing that the allies should have been ashamed not to have seen earlier—they recognized the psychology of the Russian people, that they liked to talk. For centuries they were obliged to keep still. Siberia has received much of its population because the people would talk. And Germany had its propagandists there. I went out one evening in one city, and we counted there within two hours something like two hundred street meetings, and little knots of people gathered here and there. Down the street another meeting held in its open square possibly fifteen hundred people. The halls we passed were crowded. That was not strange; you would see the same thing in other cities. Many the time the members of our Root mission, as we traveled the seven thousand miles each time across Russia, saw in the most remote Siberian villages these meetings, these people listening, listening, talking and debating—the most ideal field I have ever known for propaganda, and Germany was there improving it. What was Germany saying to Russia? She is still saying it: "We fought you when you had the czar, you have abolished him, now let us be brothers." Then they talked the doctrine of internationalism, the last nation to talk internationalism, but they did it with great skill and persuasiveness. Many times my interpreter repeated what they were telling the Russians: "The land is going to be divided; the great estates are going to be broken up. Get home and get your share." Every train was crowded with men going home to get their share. In my judgment Russia will stabilize. Only those who know Russia and its land hunger, centuries long, know the power of this appeal of the German propagandist. The allies have nothing to compare with it. They are saying the same thing at the peace conference in Paris.

Germany is busy in Russia today on this point: "This is a capitalist war, brought on and made possible by the millionaires of England and France, and now the United States draws near" they said.

By the way, they opposed my work for the Y. M. C. A. This is about the only criticism that I found it difficult to meet right off. As to the others, if I have the name, place or date, I can satisfy them that it is unfounded, or I can meet it. When I was in Europe I received a cablegram; this I will now mention: "The message is spread over Russia that the Y. M. C. A. is a capitalist organization." I at once communicated with Gompers and some of the socialist leaders in America, and they said that

the Y. M. C. A. had kept the confidence by serving the masses of labor, and the poor as well as the rich and well-to-do. I only give it as an illustration of their insistence that this whole war and everything related to it, is a move of the capitalists, and that it is absolutely under the control of the monied powers, and they are saying it at the peace conference. They are preaching it with great adroitness. They showed me a poster which represented the slimy trenches with the Russian peasants in them, and right out in front were the beautiful Russian and Siberian wheat fields, dotted with the Russian villages and surrounded with the little children and wives, and the Russians about to leap out of the trenches to start home, and over here was Uncle Sam and John Bull saying to them, "Go back, you devils, you are not through fighting for us yet." German propoganda right up to date. Now with this permeating the eye and the ear, the understanding and the emotions, are you surprised that these illiterate masses, simple-minded and tired, longing for a new day, were deluded, disintegrated and shaken, and that because of the breakdown of the means of communication and inadequacy of the plans of the allies, with no adequate kind of propoganda, we have had this spectacle before our eyes? How much longer must it stay before our eyes?

That leads me to my final word, and that is, what should we, and what can we do for Russia? My first word is, let us do a thorough piece of work at Paris. To that end, let the whole American people busy themselves and interest themselves, and not let their interest flag, making their views known with reference to these great constructive acts of our representatives and our national leader in Paris.

My second word—I may be mistaken, but I do not think so—let us not withdraw any of those stabilizing allied forces that we now have at the two great doors of Russia, unless we want to have the massacre spread widely, unless we want to see several more hundreds of thousands of innocent people slain, and the brains dashed out of the coming leaders of Russia.

I am not in favor of a great augmentation of forces. I find myself in agreement with those with whom I have discussed this matter intimately, as to the wisdom of having just enough to serve as ruling sentinels and stabilizing influence, to help these people find themselves. I speak possibly in ignorance, but with sincerity.

My third word, and it is a strange word for me to say, let us gamble on Russia. What I mean is, it is a good deal better for us to spend a few hundreds of millions of dollars, helping Russia now, than to spend hundreds of billions helping to stabilize this world if it gets out of hand. And I am not speaking of spending vast sums on military affairs in this connection, but on helping Russia economically, on helping through the Stephens commission to help establish communications that Russia may best help itself.

That leads me to say as my fourth word, that if we want to make the great watch word of this country true, that the world shall be safe for democracy, we have got to help make the Russian democracy safe for

the world. It is an idle dream to think that democracy can be born in the twinkling of an eye. There must be the process of a wise guidance, and education to make it safe. It must be informed and purified and steadied.

And then in the fifth place, let us help Russia in her sufferings. Oh, how she has suffered! Today she is stretched on a Calvary cross. Anything God will let us do to give relief—shoes, clothing, agricultural implements, and in some cases, food, we will wisely do. Senator Root sent back a cablegram when we were there that I have often thought of: "Here we find an infant class of one hundred eighty-five million people." It is very apt, and you can best move infants by way of their hearts, not so much by force as by kindness. To their dying days, the Russians will not forget what we do to relieve their sufferings. Wisely, therefore, we will back the Red Cross, we will help the Y. M. C. A., which General Graves, our chief American commander in Russia said the other day, has done more to stabilize Russia than any other forces in Russia, which has spread its network of unselfish devotion among the Japanese, Chinese, Slovaks and Russians around Archangel and Vladivostok and nearly four thousand miles across Siberia, and in ancient and holy Russia.

And finally let me reiterate as the great thing I want you to remember. If you forget everything else, we may not understand Russia, but let us believe in Russia. Some day that tumultuous sea will be calm, some day the peaceful avenues of communication will be open for the commerce and the constructive errands of the world.

Some day the conclave at Paris will adjourn, and the words "family of nations" will take on new meaning and splendor. On that day, as I think of America's problems in the far east and the near east, I prefer to have Russia as a friend at the family board. Therefore, we will believe in Russia.

Moved by Senator Taylor that the remarks of Dr. Mott be ordered printed in the journal. Motion prevailed.

Minutes of joint session were read and approved.

Wormley of Plymouth moved that the joint session be now dissolved. Motion prevailed.

Senate returned to the Senate chamber and resumed session.

#### REPORT OF COMMITTEE ON COMMITTEE CLERKS.

Senator Schaffter presented the following report and moved its adoption:

January 24, 1919.

MR. PRESIDENT—Your committee to whom was referred the matter of examining applicants for positions as clerks, begs leave to report that they have examined and found proficient Mildred Anderson, who has



been assigned to Senator Holdoegel, and has been on duty since resignation in the House on Wednesday, January 22, 1919.

We recommend her employment since date of her resignation in the House, and move the adoption of this report.

EUGENE SCHAFFER,  
*Chairman.*

The report was adopted.

Mildred Anderson appeared before the bar of the Senate and was duly sworn.

On motion of Senator Hale, Senate adjourned until 10 a. m., Saturday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 25, 1919.

Senate met in regular session, President Moore presiding.

Prayer was offered by Rev. E. W. Curtis, pastor United Brethren Church, of Chariton.

## LEAVE OF ABSENCE.

On request of Senator Hale, leave of absence was granted Senator Reed until Tuesday morning.

On request of Senator LeCompte, leave of absence was granted Senator Kingland for the day.

On request of Senator Proudfoot, leave of absence was granted Senator Arney for the day.

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

## PETITIONS.

Senator Newberry presented a petition from the supervisors of Clayton county relative to compensation of county supervisors.

Referred to committee on county and township affairs.

Senator Byington presented a petition from the citizens of Johnson county relative to the preservation of prairie chicken and quail.

Referred to committee on fish and game.

Senator Anderson presented a petition from the county supervisors of Carroll county relative to compensation of county supervisors.

Referred to committee on county and township affairs.

Senator Anderson presented a petition from the Greene county

assessors relative to annual meeting of county auditors to fix assessment values.

Referred to committee on county and township affairs.

Senator LeCompte presented a petition from the county supervisors of Lucas county relative to compensation of county supervisors.

Referred to committee on county and township affairs.

#### INTRODUCTION OF BILLS.

By Senator Evans, Senate File No. 53, a bill for an act to provide means for perfecting, registering and transferring titles to real estate to be known as the "Torrens Land Title System."

Read first and second time and referred to committee on land titles.

By Senator Kimball, Senate File No. 54, a bill for an act to amend chapter two-sixty-seven (267) of the laws of the Thirty-seventh General Assembly, and relating to the compensation of jury commissioners and the auditing of the same by a judge of the district court.

Read first and second time and referred to committee on county and township affairs.

By Senator Rainbow, Senate File No. 55, a bill for an act to amend the law as it appears in Section Thirteen hundred sixty-six (1366), Supplement to the Code, 1913, relative to Assessors' Books.

Read first and second time and referred to committee on county and township affairs.

By Senator Byington, Senate File No. 56, a bill for an act to indemnify and pay to C. A. Wissler the sum of Thirty-five Hundred Dollars (\$3,500.00) for loss and damage sustained while in the discharge of his duty as an employee of the State at the State Sanatorium for the Treatment of Tuberculosis.

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

By Senator Ratcliff, Senate File No. 57, a bill for an act to repeal section three thousand two hundred eighty three (3283) of

the Code, and to enact a substitute therefor relating to the probate and contest of wills.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Byington, Senate File No. 58, a bill for an act to exclude aliens from employment as teachers in the public schools and in State Institutions.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Hale, Senate File No. 59, a bill for an act to amend section two hundred fifty-four-a23 (254-a23) of the supplement to the Code, 1913, providing for commitment of certain persons to state institutions.

Read first and second time and referred to committee on board of control.

By Senator Hale, Senate File No. 60, a bill for an act to amend chapter three hundred seventy (370) of the Acts of the Thirty-seventh (37th) General Assembly, relating to the appointment and compensation of state agents by the Board of Control.

Read first and second time and referred to committee on board of control.

By Senator Meredith, Senate File No. 61, a bill for an act to amend the law as it appears in section eleven hundred six (1106) and section eleven hundred twenty (1120), supplement to the code, 1913, relating to the matter of the election of president and vice president, and providing for the form and arrangement of the ballot and the manner of counting the votes registered upon such ballot.

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

By Senator Parker, Senate File No. 62, a bill for an act making an appropriation to defray the expenses of the inaugural ceremonies.

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

By Senator Whitmore, Senate File No. 63, a bill for an act to amend section 894 of the supplemental supplement to the code, 1915, relating to city improvement fund.

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

By Senator Whitmore, Senate File No. 64, a bill for an act to amend section 1056-a45, Supplement to the Code, 1913, relating to taxes for cemeteries.

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

#### RESOLUTION ON SALARIES OF OFFICERS AND EMPLOYEES.

Senator Holdoegel presented the following report:

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

Your joint committee on compensation of officers and employees of the Thirty-eighth General Assembly hereby submit the following joint resolution as their report.

SENATE MEMBERS:

P. C. HOLDOEGEL,  
A. M. FELLOWS,  
W. W. ANDERSON.

HOUSE MEMBERS:

J. E. WICHMAN,  
S. W. KLAUS,  
W. E. GILTNER.

#### SENATE JOINT RESOLUTION NO. 5.

A joint resolution fixing the compensation of officers and employees of the Thirty-eighth General Assembly.

*Be It Resolved by the General Assembly of the State of Iowa:*

That the following compensations be paid to the officers and employees of the Thirty-eighth General Assembly of the state of Iowa:

\$8.00 per day to the secretary, and in his absence to the secretary pro tem, of the Senate, and to the chief clerk of the House.

\$6.00 per day to the assistant secretaries, the enrolling clerk, the engrossing clerk, the journal clerks in the Senate, and to the assistant clerk, the reading clerk, the journal clerk, the assistant journal clerk, the engrossing clerk and the enrolling clerk of the House.

\$4.00 per day to the bill clerk, the file clerk, the assistant bill and file clerk of the Senate, and the file clerk, the assistant file clerk, the bill clerk, the assistant bill clerk of the House, and to the post mistress and the assistant post mistress.

\$5.00 per day to the sergeant-at-arms of the Senate and the sergeant-at-arms of the House.

\$3.50 per day to the chief doorkeeper and the assistant doorkeepers, the head janitor, in the cloak room, the assistant janitors in the cloak room, the janitors in the toilet room, and the committee clerks, of the Senate and the House.

\$2.50 per day to the president's page in the Senate, and the speaker's page in the House.

\$2.00 per day to the other pages in the Senate and in the House.

\$2.00 per day to the telephone messengers in the Senate and in the House.

The committee clerks shall be allowed \$5.00 per month for typewriter rental. The salaries of all employees listed above to be paid seven days a week and to date from date of employment.

Read first and second time.

On motion of Senator Holdoegel, Senate Joint Resolution No. 5 was made a special order for Tuesday, January 28th, at 10:30 a. m.

#### AMENDMENT FILED.

Senator Brookhart filed the following amendment which he proposes to offer to Senate Joint Resolution No. 5 and asked that it be printed in the journal.

I move that Joint Resolution No. 5 be amended by striking from the list to receive three and 50-100 (\$3.50) dollars per day the following employees, and insert them in the list to receive four (\$4.00) dollars per day, to-wit: chief doorkeeper and assistant doorkeepers, the janitor in the toilet room of the Senate, and the committee clerks of the Senate and the House.

J. L. BROOKHART.

#### RESOLUTION ON CAPITOL EXTENSION ADOPTED.

Senator Whitmore called up for consideration the resolution offered by him and appearing on page 184 of the Senate journal. On motion of Senator Whitmore the resolution was adopted.

## RESOLUTION WITHDRAWN.

By unanimous consent, Senator Buser withdrew the concurrent resolution offered by him and appearing on page 145 of the journal, relating to the employment of an attorney to assist in drafting bills.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter from the committee on enrolled bills, submitted the following report, and moved its adoption :

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate Joint Resolution No. 1, joint resolution ratifying a proposed amendment to the constitution of the United States of America.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter 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 Joint Resolution No. 1, joint resolution ratifying a proposed amendment to the constitution of the United States of America.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*  
WILL L. KING,  
*Chairman House Committee.*

Adopted.

On motion of Senator Adams, rule 33 was suspended for the day.

## REPORT OF COMMITTEE ON RULES.

Senator Cessna from the committee on rules, submitted the following report and moved its adoption :

MR. PRESIDENT—Your committee on rules, to whom was referred a resolution providing that whenever any bill or resolution has passed one house and has been reported out favorably by the committee to which it was referred of the other house and is placed on the calendar, it shall take precedence over its companion or any bill or resolution of the other house placed on the calendar on the same or a later day, beg leave to report

they have had the same under consideration and recommend the same be adopted.

T. C. CESSNA, *Chairman.*

The report of the committee was adopted.

On motion of Senator Cessna the resolution was adopted.

Also:

MR. PRESIDENT—Your committee on rules recommend the adoption of the following resolution:

*Be It Resolved:* That the doorkeepers of the Senate are authorized to admit uniformed soldiers and sailors of the U. S. army and navy to the floor of the Senate at any time except when the Senate is in executive session.

T. C. CESSNA, *Chairman.*

On motion of Senator Cessna the report was adopted.

On motion of Senator Cessna the resolution was adopted.

#### JOINT RESOLUTION NO. 1 SIGNED.

President Moore announced that as president of the Senate, in the presence of the Senate, he had signed Senate Joint Resolution No. 1, resolution ratifying the national prohibitory amendment.

#### CORRECTION OF THE JOURNAL.

The journal of January 24th was taken up, corrected and approved.

On motion of Senator Whitmore, 150 extra copies of Senate File No. 33, the housing bill, were ordered printed.

#### REPORT OF COMMITTEES.

Senator Parker, 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. 15, a bill for an act to amend section 674, supplement to the code, 1913, relating to the compensation of city assessors, beg leave to report they have had the same under consideration and offer as a substitute therefor a committee bill, as follows:

By committee on cities and towns, Senate File No. 65, a bill for an act to repeal section six hundred seventy-four (674), supplement to the code,



1913, and enacting a substitute therefor, relating to the compensation of city assessors.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Joint resolution relative to extra help.

W. C. RAMSAY, *Chief Clerk.*

MOTION TO RECONSIDER FILED.

MR. PRESIDENT—I move to reconsider the vote by which House concurrent resolution memorializing congress to establish a department of education failed to pass the Senate.

JOHN R. PRICE.

On motion of Senator Smith, Senate adjourned until 10 a. m., Monday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JAN. 27, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. Charles Elmer Chapler, executive secretary of the Y. M. C. A. at Camp Dodge.

## PETITIONS AND MEMORIALS.

Senator Parker presented petition from the Iowa State Teachers' Association relative to the housing law.

Referred to committee on cities and towns.

Senator Rule presented a petition from the county supervisors of Franklin county relative to compensation of county supervisors.

Referred to committee on county and township affairs.

Senator Rule presented a petition from county supervisors of Cerro Gordo county relative to compensation of county supervisors.

Referred to committee on county and township affairs.

Senator Rule presented a remonstrance from the city council of Muscatine relative to profiteering by public utilities.

Referred to committee on public utilities.

Senator Holdoegel presented a petition from the Fort Dodge Commercial Club relative to permanent good roads.

Referred to committee on highways.

Senator Stoddard presented a petition from the members of the city council of Sioux City relative to the housing law.

Referred to committee on cities and towns.

Senator Schaffter presented a petition from the citizens of Hardin county relative to improved highways.

Referred to committee on highways.

Senator Brookhart presented a petition from representatives of the good roads conference relative to highway improvements.

Referred to committee on highways.

Senator Scott presented a petition from the citizens of Chickasaw county relative to protection of game.

Referred to committee on fish and game.

Senator Holdoegel presented a petition from representatives of the good roads conference relative to highway improvement.

Referred to committee on highways.

Senator Rule presented a petition from the Iowa Implement Dealers' Association relative to highways.

Referred to committee on highways.

Senator Brookhart presented a petition from the Iowa State Teachers' Association relative to the housing law.

Referred to committee on cities and towns.

Senator Shane presented a petition from the Iowa State Teachers' Association relative to the housing law.

Referred to committee on cities and towns.

Senator Shane presented a petition from representatives of the good roads conference relative to highway improvements.

Referred to committee on highways.

Senator Byington presented a remonstrance from the citizens of Iowa county relative to hard surfaced roads.

Referred to committee on highways.

Senator Coburn presented a petition from the board of supervisors of Cherokee county relative to compensation of county supervisors.

Referred to committee on county and township affairs.

Senator Schaffter presented a petition from the board of supervisors of Wright county relative to compensation of county supervisors.

Referred to committee on county and township affairs.

Senator Ball presented a petition from the Iowa State Teachers' Association relative to the housing law.

Referred to committee on cities and towns.

Senator Schaffter presented a petition from the city council of Eagle Grove relative to permanent roads.

Referred to committee on highways.

Senator Wilson presented a petition from the city council of Sioux City relative to the housing law.

Referred to committee on cities and towns.

Senator Wilson presented a petition from the Association of Commerce, Centerville, relative to the housing law.

Referred to committee on cities and towns.

#### INTRODUCTION OF BILLS.

By Senator Frailey, Senate File No. 66, a bill for an act adopting a state flag for the state of Iowa.

Read first and second time and referred to committee on military affairs.

By Senator Broxam, Senate File No. 67, a bill for an act to amend section two thousand five hundred eighty-nine-d, supplement to the code, 1913, relative to the examination of pharmacists.

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

By Senator Wilson, Senate File No. 68, a bill for an act to amend section fifteen hundred seventy one-m 1 (1571-m1) Supplement to the Code, 1913, relative to the definition of terms used in title VIII Chapter 2-B Supplement to the Code, 1913.

Read first and second time and referred to committee on motor vehicles.

By Senator Kimball, Senate File No. 69, a bill for an act making it unlawful to display, carry, raise or follow any red flag or other insignia with intent to defy, resist or hinder regularly established authority of the state or United States, or with intent to insult or disregard the flag of the United States, or with intent to induce such conduct, and providing penalties for violation, including penalty when armed with a dangerous weapon.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Newberry, Senate File No. 70, a bill for an act amending section two thousand five hundred and seventy-five-A-forty eight (2575-a-48) of the Supplement to the Code, 1913, relating to the eradication of harmful barberry, or other plants that act as alternate hosts or carriers of dangerous insects, pests or plant disease, and prescribing the duties of the State Entomologist in relation thereto.

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

By Senator Hale, Senate File No. 71, a bill for an act to repeal section two thousand three hundred ten-a6 (2310-a6) of the supplement to the code, 1913, and to enact a substitute therefor, and to change the name of the State Hospital for Inebriates and to provide for the use thereof; and to amend section two thousand three hundred ten-a7 (2310-a7) of the supplement to the code, 1913, and fix the salary of the superintendent of said institution; and making appropriation for the erection, repair and improvement of buildings, for appurtenances and connections thereto, for furniture, fixtures, furnishings and equipment, and for the contingent and repair fund of said institution.

Read first and second time and referred to committee on board of control.

By Senator Kimball, Senate File No. 72, a bill for an act appropriating the sum of sixty-seven and 0-100 dollars (\$67.00), in payment of cost of survey of river bed in East Omaha.

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

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that on January 25th, 1919, they sent to the governor for his approval, Senate Joint Resolution No. 1, joint resolution ratifying a proposed amendment to the constitution of the United States of America.

EUGENE SCHAFFTER, *Chairman.*

#### REPORT OF JOINT RULES COMMITTEE.

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

Your joint committee on rules, consisting of the Senate committee on rules and the House committee on rules of the Thirty-eighth General Assembly, respectfully report and recommend that the joint rules of the Thirty-seventh General Assembly be adopted as the joint rules of the Thirty-eighth General Assembly.

T. C. CESSNA,

*Chairman of the Senate Committee on Rules.*

H. J. MANTZ,

*Chairman of the House Committee on Rules.*

On motion of Senator Whitmore, the report was adopted.

On motion of Senator Kimball, the committee on printing was instructed to investigate the delay in the printing of Senate bills.

#### CORRECTION OF THE JOURNAL.

The journal of January 25th was taken up for correction and approved.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House File No. 5, a bill for an act to legalize a certain election of Dallas Center, Iowa.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGE CONSIDERED.

House File No. 5, a bill for an act to legalize a certain election of Dallas Center, Iowa.

Read first and second time and referred to committee on judiciary No. 2.

On motion of Senator Whitmore, the secretary was instructed to have substitute bills, recommended by committees, printed in the journal.

In accordance with this action substitute for Senate File No. 15 is herewith printed:

#### SUBSTITUTE FOR SENATE FILE NO. 15.

By committee on cities and towns.

#### A BILL FOR AN ACT

To Repeal Section Six Hundred Seventy-four (674), Supplement to the Code, 1913, and Enacting a Substitute therefor, Relating to the Compensation of City Assessors:

*Be It Enacted by the General Assembly of the State of Iowa:*

SECTION 1. That section six hundred seventy-four (674), Supplement to the Code, 1913, be and the same is hereby repealed and the following enacted as a substitute therefor.

SEC. 2. Town assessors and their deputies shall receive the same compensation as township assessors, which shall be determined in the same manner and payable from the county treasury. In cities of the first and second class, including special charter cities and those under the commission form of government, the compensation of the assessor shall be not more than eighteen hundred dollars (\$1800.00) per annum, or not less than five dollars (\$5.00) per day for the time actually employed, to be fixed by the board of supervisors; and that of the deputies not more than five (\$5.00) or less than three dollars and fifty cents (\$3.50) per calendar day, Sunday excepted, for the time actually employed, to be fixed by the board of supervisors: Provided, that in cities under the commission form of government having a population of more than one hundred thousand the board of supervisors may fix the compensation of the assessor not exceeding twenty-five hundred dollars (\$2500.00) per annum and the compensation of not more than two head deputy assessors at not exceeding fifteen hundred dollars (\$1500.00) per annum: Provided, however, that in cities where extra or special services are to be performed by the assessor the board of supervisors may by special contract with the assessor determine the compensation to be paid.

SEC. 3. This act being deemed of immediate importance, shall take effect and be in force from and after the publication in the Des Moines Register and the Des Moines Capital, newspapers published at Des Moines, Iowa.

Read first and second times and ordered printed in the journal.

#### LEAVE OF ABSENCE.

On request of Senator Anderson, leave of absence was granted Senator Cessna for the day.

On request of Senator Wilson, leave of absence was granted Senator Evans for the day.

On request of Senator Frailey, leave of absence was granted Senator Thompson for the day.

On request of Senator Haskell, leave of absence was granted Senator Price for the day.

On request of Senator Parker, leave of absence was granted Senator Kingland for the day.

#### COMMUNICATION FROM SECRETARY OF STATE.

The following communication was received from the secretary of state:

*To his Excellency, W. L. Harding, Governor, and the Senate and House of Representatives of the Thirty-eighth General Assembly:*

In accordance with the provisions of section 5 of chapter 149, acts of the Thirty-sixth General Assembly, commonly known as the "Blue Sky Law," I submit herewith a report of the amount of fees collected for the period beginning January 1, 1917, and ending on December 31, 1918, as follows:

Fees received during year 1917.....	\$ 5,929.00
Fees received during year 1918.....	6,365.00
Total .....	\$12,294.00

#### EXPENDITURES.

Salary and clerk hire, 1917.....	\$ 3,458.29
Salary and clerk hire 1918.....	4,700.38
Total .....	\$ 8,158.67
Postage, 1917 .....	\$ 33.84
Postage, 1918 .....	54.83
Total .....	\$ 88.67

Amount received above expenditures as noted above, \$4,046.66.

The expenditures above noted do not include blanks, stationery, printing, and other items of this character, for the reason that the bills for such expenditures are presented to and allowed by the state board of



audit—hence, it becomes difficult to ascertain the exact amount expended for this purpose. It is fair to presume, however, that this item would be in a considerable amount, so that the net receipts above expenditures would be quite materially reduced from the figures above stated.

Respectfully submitted,

W. S. ALLEN,

*Secretary of State.*

On motion of Senator Stoddard Senate adjourned until 10 a. m. Tuesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 28, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. W. H. Kent, pastor of the Congregational Church, of Milford.

## PETITIONS AND MEMORIALS.

Senator Wilson presented a petition from the Retail Merchants' Bureau of the Chamber of Commerce of Des Moines, Iowa, relative to the housing law.

Referred to committee on cities and towns.

Senator Horchem presented a petition from citizens of Dubuque county relative to collection and distribution of the motor vehicle license fund.

Referred to committee on highways.

Senator Ball presented a remonstrance of citizens of Jefferson county relative to hard surfaced roads.

Referred to committee on highways.

Senator Mitchell presented a petition from the Retail Merchants' Bureau of the Chamber of Commerce, of Des Moines, Iowa, relative to the housing law.

Referred to committee on cities and towns.

Senator Parker presented a petition from the Retail Merchants' Bureau of the Chamber of Commerce, of Des Moines, Iowa, relative to the housing law.

Referred to committee on cities and towns.

Senator LeCompte presented a petition from the Retail Merchants' Bureau of the Chamber of Commerce, of Des Moines, Iowa, relative to the housing law.

Referred to committee on cities and towns.

Senator Haskell presented a petition from citizens of Linn county relative to increased salaries for teachers in public schools.

Referred to committee on schools.

#### JOINT RESOLUTION NO. 1 SIGNED BY GOVERNOR.

January 27, 1919.

*To the Honorable, the Senate of the Thirty-eighth General Assembly:*

MR. PRESIDENT—I am directed by Governor Harding to inform your honorable body that he has this day approved Senate Joint Resolution No. 1, being joint resolution ratifying a proposed amendment to the constitution of the United States of America.

Very respectfully yours,

CHAS. E. WITT,  
*Secretary to the Governor.*

Dated this twenty-seventh day of January, 1919.

#### INTRODUCTION OF BILLS.

By Senator Kimball, House File No. 73, a bill for an act authorizing the erection of a Soldiers and Sailors Memorial in form of a building for the housing of the library and all judicial departments of the state and providing for a joint committee to provide plans and contracts, fixing the approximate cost, providing for the erection of the same under section fourteen hundred-two (1400-t 2) of the supplement to the code, 1913, and providing for payment of cost of same from funds provided by section fourteen hundred-t (1400-t) of the supplement to the code, 1913, and providing for compensation of Committee.

Read first and second time and referred to committee on public buildings.

By Senator Buser, Senate File No. 74, a bill for an act providing for the issuance of licenses by the State Game and Fish Commission to those desiring to catch or kill mussels for commercial purposes. Regulating and providing the manner in which mussels shall be caught or killed, and providing for the opening or closing of certain streams in Iowa for the purpose of catching mussels.

Read first and second time and referred to committee on fish and game.

By Senator Rule, Senate File No. 75, a bill for an act repealing the law as it appears in Section 5006 and 5007 of the Code and Section 5007-c supplement to the Code of 1913, and to enact substitutes therefor; prohibiting the furnishing of Cigarettes or Cigarette papers to Minors; providing a means of obtaining evidence of a violation thereof, and providing a Penalty therefor, and prohibiting the use of Cigarettes by Minors, and providing a penalty therefor. Providing for the Regulation and licensing of persons engaged in the selling of Cigarettes and Cigarette Papers, and providing a penalty for selling Cigarettes or Cigarette Papers without such license, and fixing a Penalty therefor, and providing that any building, erection, or place made use of for the sale of Cigarettes or Cigarette Papers in violation of the provisions of this act shall be deemed a nuisance and be abated by injunction.

Read first and second time and referred to committee on public health.

By Senator LeCompte, Senate File No. 76, a bill for an act to amend the law as it appears in section eleven hundred one (1101) supplemental supplement to the code relating to the withdrawal of candidates regularly nominated for office.

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

By Senator Brookhart, Senate File No. 77, a bill for an act to amend Section 2734-b of the Supplemental Supplement to the Code, relating to the expenses of the County Superintendent of Schools for visiting schools.

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

By Senator Schaffter, Senate File No. 78, a bill for an act to repeal Section four-thousand six-hundred eighty-nine (4689) of the Code and enact a substitute therefor relative to the taking of depositions and to amend Sections four-thousand six-hundred ninety-three (4693) and four-thousand six-hundred ninety-four (4694) of the Code relative to the taking of depositions.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Byington, Senate File No. 79, a bill for an act to appropriate Twenty-five Thousand Dollars (\$25,000) as an additional amount to complete the Medical and Laboratory Building of the State Sanitorium for the Treatment of Tuberculosis at Oakdale and for equipment thereof, and also to appropriate the sum of Three Thousand Dollars (\$3,000) for the purchase of an X-ray machine for said Institution.

Read first and second time and referred to committee on board of control.

By Senator Newberry, Senate File No. 80, a bill for an act to amend Section three thousand four hundred and thirty nine (3439) of the supplement to the Code, 1913, relating to the limitation of actions on judgments.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Ratcliff, Senate File No. 81, a bill for an act to amend Section Eighteen Hundred twenty-one-i (1821-i) Supplement to the Code, 1913, relating to examination of insurance companies.

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

By Senator Van Alstine, Senate File No. 82, a bill for an act to make uniform the law of sales of goods, and repealing all acts or parts of acts inconsistent herewith and providing that this act may be cited as the Uniform Sales Act.

Read first and second time and referred to committee on commerce and trade.

By Senator Whitmore, Senate File No. 83, a bill for an act to amend section 245-a, Supplement to the Code, 1913, relating to reporter's notes as evidence.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Anderson, Senate File No. 84, a bill for an act conferring upon cities and towns, the authority to adopt a budget system.

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

By Senator Anderson, Senate File No. 85, a bill for an act providing for the examination and certification of shorthand reporters of the District, Superior and Municipal Courts, and creating a Board of Examiners therefor.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Kimberly, Senate File No. 86, a bill for an act to amend section 354-a-18 of the supplement of the code as to the salaries of probation officers in counties of fifty thousand (50,000) or more in population.

Read first and second time and referred to committee on county and township affairs.

By Senator Ball, Senate File No. 87, a bill for an act to amend section seven hundred seventy (770) Code, 1897, relating to construction of viaducts over or under railroads.

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

Senator Kimball offered the following motion:

I move that Senator N. J. Schrup, a member of this Senate during the Thirty-fourth, Thirty-fifth, Thirty-sixth and Thirty-seventh General Assemblies, and whose service in the Senate has been of high value to the state, be invited to the president's desk and be invited to speak to the Senate.

The motion prevailed.

The president appointed Senators Kimball and Rule to escort Senator Schrup to the chair and he briefly addressed the Senate.

#### JOINT RESOLUTION NO. 5 ADOPTED.

The time having arrived for the consideration of special order, Joint Resolution No. 5, was taken up and considered.

Senator Brookhart offered the following amendment:

MR. PRESIDENT—I move that Joint Resolution No. 5 be amended as follows:

SECTION 1. By striking from the list to receive three and 50-100 dollars per day the following employees and insert them in the list to receive

four dollars per day, to-wit: Chief doorkeeper and assistant doorkeepers, janitor in the toilet room of the Senate, and the committee clerks of the Senate and the House.

SEC. 2. That there be added to the list to be paid five dollars per day, the speaker's clerk and the lieutenant governor's clerk.

J. L. BROOKHART.

President Moore divided the motion, and announced that section 1 of the amendment would be considered first.

Senator Parker offered the following amendment to the amendment proposed by Senator Brookhart:

MR. PRESIDENT—I move to amend the amendment offered by the senator from Washington by inserting the words "and janitors in the cloak room" following the word "Senate" in next to the last line of section 1.

Senator Foster asked for a roll call. On the adoption of this amendment to the amendment, the vote was:

Ayes, 32.

Adams	Haskell	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Broxam	Kimberly	Shane
Byington	LeCompte	Stephenson
Coburn	Meredith	Taylor
Edwards	Parker	Thompson
Evans	Proudfoot	Van Alstine
Fralley	Rainbow	Whitmore
Greenell	Ratcliff	Wilson
Hale	Reed	

Nays, 16.

Anderson	Foskett	Nelson
Arney	Foster	Newberry
Balkema	Holdoegel	Smith
Buser	Kingland	Stoddard
Cessna	Mitchell	White
Fellows		

Absent or not voting, 2.

Pitt Price

The amendment to the amendment was adopted.

Senator Kimball offered the following amendment to the amendment:

I move to amend the amendment by adding to the amendment, "No employee of the Senate shall receive any tip from any visitor in the Senate."

CLEM F. KIMBALL.

The amendment to the amendment was lost.

Section 1 of the amendment was adopted.

Section 2 of the amendment was adopted.

Senator Holdoegel moved that the rules be suspended, the joint resolution be considered engrossed, and read a third time, which motion prevailed.

On the question, "Shall the resolution be adopted?" the vote was:

Ayes, 47.

Adams	Greenell	Ratcliff
Anderson	Hale	Reed
Arney	Haskell	Rule
Balkema	Holdoegel	Schaffter
Ball	Horchem	Scott
Brookhart	Kimball	Shane
Broxam	Kimberly	Smith
Byington	Kingland	Stephenson
Cessna	LeCompte	Stoddard
Coburn	Meredith	Taylor
Edwards	Mitchell	Thompson
Evans	Nelson	Van Alstine
Fellows	Newberry	White
Foskett	Parker	Whitmore
Foster	Proudfoot	Wilson
Frailey	Rainbow	

Nays, 1.

Buser

Absent or not voting, 2.

Pitt

Price

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

#### RESOLUTION RELATIVE TO SOLDIERS' CLOTHING.

Senator Rule called up house concurrent resolution relative to permitting discharged soldiers and sailors to retain their clothing.

On motion of Senator Rule, the Senate concurred in the resolution.

#### 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 compilation of the manual.

W. C. RAMSAY, *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 placing codes and supplements in committee rooms.

W. C. RAMSAY, *Chief Clerk*.

#### REPORT OF COMMITTEES.

Senator Proudfoot, from the committee on judiciary No. 2, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 2, to whom was referred Senate File No. 26, a bill for an act to amend Section 4650 of the Code, relating to distance witnesses may be compelled to travel upon subpoena from district and superior courts, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 43, a bill for an act to amend section 3709 of the code, relating to the time within which a motion for new trial may be made, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred House File No. 5, a bill for an act to legalize the action of the electors and the board of directors of the Independent School District of Dallas Center, Dallas county, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman*.

Ordered passed on file.

Senator Holdoegel, from the committee on departmental affairs, submitted the following report:

Mr. President—Your committee on departmental affairs, to whom was referred Senate File No. 46, a bill for an act to amend section 230-c of the supplement to the code, 1913, and relating to the compensation of judges of the superior court in cities of 25,000 or over, beg leave to report they have had the same under consideration and recommend the same do pass.

P. C. HOLDOEGEL, *Chairman.*

Ordered passed on file.

### THIRD READING OF BILLS.

On motion of Senator Foster, House File No. 5, a bill for an act to legalize the action of the electors and the Board of Directors of the Independent School District of Dallas Center, Dallas County, Iowa, in calling and holding an election authorizing the said independent district to issue bonds of said independent district to the amount of eight thousand dollars, for the purpose of providing additional heating facilities and for necessary repairs for the school buildings in said independent school district, and for legalizing said 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 Foster 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 vote was:

Ayes, 43.

Adams	Fralley	Ratcliff
Anderson	Greenell	Reed
Arney	Hale	Rule
Balkema	Haskell	Schaffter
Ball	Holdoegel	Scott
Brookhart	Horchem	Shane
Broxam	Kimberly	Stephenson
Buser	Kingland	Stoddard
Byington	Mitchell	Taylor
Cessna	Nelson	Thompson
Edwards	Newberry	Van Alstine
Evans	Parker	White
Fellows	Proudfoot	Whitmore
Foskett	Rainbow	Wilson
Foster		

Nays, none.

Absent or not voting, 7.

Coburn	Meredith	Price
Kimball	Pitt	Smith
LeCompte		

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 Parker, Senate File No. 15, a bill for an act to amend section 674, supplement to the code, 1913, relating to the compensation of city assessors, with report of committee recommending the adoption of a substitute and passage, was taken up, considered, and the report of the committee adopted; and the substitute, known as Senate File No. 65, was adopted and substituted for the original bill.

Senator Parker 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 vote was:

Ayes, 46.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Broxam	Kimberly	Shane
Buser	Kingland	Stephenson
Byington	LeCompte	Stoddard
Cessna	Meredith	Taylor
Coburn	Mitchell	Thompson
Evans	Nelson	Van Alstine
Fellows	Newberry	White
Foskett	Parker	Whitmore
Foster	Proudfoot	Wilson
Fralley		

Nays, 1.

Edwards

Absent or not voting, 3.

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

## HOUSE MESSAGES CONSIDERED.

## CONCURRENT RESOLUTION.

*Be It Resolved by the House, the Senate Concurring:*

That the secretary of state be requested to furnish for use in the judiciary rooms of the House and Senate, respectively, two copies each of the code, code supplement, 1913, and supplemental supplement, 1915, and the session laws of the Thirty-seventh General Assembly, and that he furnish one copy of each of said volumes for each of the other committee rooms of the House and Senate. Said books to remain in such committee rooms during the balance of this general assembly for the use of committees.

By unanimous consent, the resolution was taken up and considered and on motion of Senator Foskett the Senate concurred in the resolution.

## CONCURRENT RESOLUTION.

*Be It Resolved by the House of Representatives, the Senate Concurring:*

That the compiler of the Iowa manual of legislative procedure of 1917 be requested to prepare a revision of the said manual for the use of the members and officers of the Thirty-eighth General Assembly. The contents of the revised manual shall be the same as that of the manual of 1917, except that the materials, including the rules of the Thirty-eighth General Assembly, shall be revised to date.

That the state document editor shall have printed and bound, twelve hundred and fifty (1,250) copies of the revised manual—one thousand (1,000) of which shall be bound in paper covers and two hundred and fifty (250) in flexible leather covers. In printing and binding the revised manual the form of the manual of 1917 shall be followed in every detail and the quality and weight of the paper, leather, and the quality of the workmanship shall be the same as in the manual of 1917. As in 1917, the members and officers of the general assembly shall be furnished with name-stamped desk copies.

As soon as possible after the adoption of this resolution the compiler of the manual shall furnish the state document editor with the copy for the revised manual, and the state document editor shall furnish the compiler with both galley and page proofs for correction.

That as soon as the revised manuals have been printed, the name-stamped copies shall be delivered to the chief clerk of the House of Representatives and the secretary of the Senate for distribution to the members and officers of the general assembly. The additional copies shall remain in the hands of the state document editor for distribution.

Passed on file.

## LEAVE OF ABSENCE.

On request of Senator Rule, leave of absence was granted Senator Pitt for the day.

On request of Senator LeCompte, leave of absence was granted Senator Price for the day.

## CORRECTION OF THE JOURNAL.

The journal of January 27th was taken up, corrected and approved.

## EXECUTIVE SESSION.

The president announced the receipt of a communication requiring an executive session.

On motion of Senator Proudfoot, the Senate went into executive session.

On motion and roll call, the Senate advised and consented to the appointment of Honorable J. H. Henderson of Warren county as commerce counsel for the period of four years commencing July 1, 1919.

Senate arose from executive session and resumed regular session.

Senator Rule moved that the Senate adjourn until 10:00 a. m. Wednesday.

Senator Horchem moved to amend by making the time of convening, 11:00 a. m. The amendment was lost.

The motion of Senator Rule prevailed and the Senate adjourned until 10:00 a. m. Wednesday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 29, 1919.

Senate met in regular session, president of the Senate, Ernest R. Moore, presiding.

Prayer was offered by Rev. J. M. Walsh, of Albia.

## PETITIONS AND MEMORIALS.

Senator Stoddard presented a petition from the Trades and Labor Assembly, of Sioux City, relative to the housing law.

Referred to committee on cities and towns.

Senator Scott presented a petition from citizens of Floyd county relative to land titles.

Referred to committee on land titles.

Senator Scott presented a remonstrance of citizens of Floyd county relative to the daylight savings plan.

Referred to committee on judiciary No. 1.

Senator Broxam presented a petition from citizens of Jackson county relative to the non-partisan judiciary law.

Referred to committee on elections.

Senator Holdoegel presented a petition from the Fort Dodge Commercial Club relative to the housing bill.

Referred to committee on cities and towns.

## INTRODUCTION OF BILLS.

By Senator Hale, Senate File No. 88, a bill for an act to repeal the law as it appears in sections one(1), two(2), three(3), five(5), six(6), and seven(7), chapter two hundred sixty-six (266), of the thirty-seventh general assembly; and to repeal sections twenty-two hundred ninety-one-b (2291-b), twenty-six hun-

dred eight (2608), twenty-seven hundred (2700), and fifty-seven hundred eighteen (5718), supplement to the code, 1913; and sections twenty-six hundred ninety-one (2691), and twenty-seven hundred thirteen (2713), supplemental supplement to the code, 1915; and to enact substitutes therefor and to amend section twenty-seven hundred twenty-seven-a85 (2727-a85), supplement to the code, 1913; and to amend chapter three hundred sixty-two (362), acts of the thirty-seventh general assembly; and to amend paragraph seven (7), section twenty-seven hundred twenty-seven-a96 (2727-a96), supplemental supplement to the code, 1915; relating to the support funds for the various state institutions under the supervision of the board of control of state institutions.

Read first and second time and referred to committee on board of control.

By Senator Kimball, Senate File No. 89, a bill for an act to amend section twenty four hundred seventy-seven-m twenty-one (2477-m 21) of the supplement to the code, 1913, and relating to compensation for injuries to employees.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Scott, Senate File No. 90, a bill for an act to amend Section Three Thousand Two Hundred Eighty Four (3284) of the 1913 Supplement to the Code of 1897 relating to notice of hearing provided for probating of wills.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Schaffter, Senate File No. 91, a bill for an act to amend Section Six Hundred eighty-one (681) of the Code relative to the adoption of ordinances of Cities and Towns.

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

By Senator Holdoegel, Senate File No. 92, a bill for an act appropriating the sum of Five Hundred Fifteen Dollars (\$515.00) to indemnity B. F. Owens for an automobile stolen by a trusty of the penitentiary at Anamosa.

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

By Senator Foster, Senate File No. 93, a bill for an act to limit the commencement of an action for the recovery of an interest in real estate, based upon a claim arising prior to A. D. 1900, unless notice of such claimed right or interest is given as herein provided.

Read first and second time and referred to committee on land titles.

By Senator Rule, Senate File No. 94, a bill for an act relating to the public health, making and providing penalties for the violations of the provisions thereof, and repealing all acts in conflict herewith.

Read first and second time and referred to committee on public health.

Senator Rule announced the receipt of information that Captain Thomas Watters, elected secretary of the Senate, had been released and would soon be on the way to his home in Iowa to assume his duties as secretary.

On motion of Senator Rule, Dr. G. H. Sumner was given a few minutes before the Senate to make an announcement relative to some of the work of the board of health.

#### RESOLUTION FOR PRINTING MANUAL.

On motion of Senator Cessna, House concurrent resolution on printing of the Iowa Manual of Legislative Procedure and Rules of the Thirty-eighth General Assembly was taken up and considered.

Senator Foskett offered the following resolution as a substitute:

#### SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION ON THE SUBJECT OF PRINTING THE IOWA MANUAL OF LEGISLATIVE PROCEDURE.

*Be It Resolved by the Senate, the House Concurring,* that the secretary of the Senate and the chief clerk of the House be instructed to compile and order printed as other state printing, an edition of the Official Rules of the Thirty-eighth General Assembly, with pages substantially four (4) by six and a half (6½) inches in size, containing the joint rules and the rules of each house, as adopted to date, and a plat of each house showing location of the seats of members; said edition of the rules to be in number seven hundred fifty (750) of which two hundred fifty (250)



copies are to be bound in flexible leather, eighty (80) for the Senate and one hundred seventy (170) for the House, with names of members printed thereon, the remainder of the edition to be stitched and bound in paper covers for general distribution through the document department of the state.

By unanimous consent, the substitute was taken up for immediate consideration.

On motion of Senator Foskett, the substitute resolution was adopted.

#### REPORT OF SPECIAL COMMITTEE.

MR. PRESIDENT—Your special committee to whom was referred the house resolution relative to the soldiers of the great world war submit the following as a substitute concurrent resolution and move its adoption.

Respectfully submitted,

E. M. SMITH,  
M. B. PITT,  
J. J. RAINBOW.

#### SENATE CONCURRENT RESOLUTION.

*Be It Resolved by the Senate, the House Concurring:*

*Whereas*, The great world's war is about to pass into history, therefore it is altogether fitting and proper that the Thirty-eighth General Assembly should at this time give expression to the profound gratitude and love of this commonwealth for the soldiers and sailors of Iowa, living and dead, who participated in this momentous conflict.

And yet at best, words are inadequate and futile to express the heart of Iowa to her soldier and sailor sons. Nothing that we can say here, nothing that we can do, can add to the immortality of their fame, the grandeur of their deeds, the heroic dignity that is theirs who died that this nation might live.

Their country called them and they came; she waved them onward and they died. It matters not whence they came nor what they were as men count wealth and worldly rank, their achievements are an epic whose music can never be sung, their record of invincible Americanism is more splendid than any earthly diadem. By their deeds they crystalized the loftiest worth of manhood, in their death they joined themselves to the glorious company of the world's immortals, for love of country they dared to die and dying wrote their names upon the honor roll of all the ages.

And so these sons of Iowa, cherished by loving hearts, honored by their mother commonwealth, have passed on into the mighty pantheon of our history. They are not ours any more, they belong to the ages and whatever in the years to come their lot in life may be, above them

and about them, forevermore shall stand the guardian angel of the nation's gratitude and love.

By unanimous consent, the substitute resolution was taken up for immediate consideration.

On motion of Senator Smith, the substitute resolution was adopted.

#### REPORT OF COMMITTEE.

Senator Parker, 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. 17, a bill for an act to amend Section Two Hundred Fifty-four-a-20 (254-a-20) Supplement to the Code, 1913, relating to commitments in Juvenile Courts, 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:

By eliminating the apostrophe at end of Section 2, and adding thereto the following: Such children shall be eligible to admission to the Soldiers' Orphans' Home, Davenport, Iowa, under the laws and rules applying to the admission of other children to this institution.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Senator Foskett, from the committee on appropriations, submitted the following report:

MR. PRESIDENT—Your committee on appropriations, to whom was referred Senate File No. 62, a bill for an act making an 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.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

#### SENATE FILES WITHDRAWN.

By unanimous consent, Senator Whitmore withdrew Senate Files Nos. 63 and 64 from further consideration.

#### THIRD READING OF BILLS.

On motion of Senator Schaffter, Senate File No. 26, a bill for an act amending Section 4660 of the Code, relating to distance witnesses may be compelled to travel upon subpoena from Dis-

trict and Superior Courts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schaffter 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 vote was:

Ayes, 42.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Ball	Holdoegel	Rule
Brookhart	Horchem	Schaffter
Broxam	Kimball	Scott
Buser	Kimberly	Shane
Dyington	Kingland	Smith
Cessna	LeCompte	Stephenson
Edwards	Meredith	Stoddard
Evans	Mitchell	Taylor
Fellows	Nelson	Van Alstine
Foskett	Parker	Whitmore
Foster	Proudfoot	Wilson

Nays, none.

Absent or not voting, 8.

Balkema	Newberry	Thompson
Coburn	Pitt	White
Frailey	Price	

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Schaffter moved that the word and figures "of 1897" be stricken from the title.

Motion prevailed, and the title as amended, was agreed to.

On motion of Senator Parker, Senate File No. 62, a bill for an act making an appropriation to defray the expenses of the inaugural ceremonies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Parker 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 vote was:

## Ayes, 43.

Adams	Greenell	Proudfoot
Anderson	Hale	Rainbow
Arney	Haskell	Ratcliff
Ball	Holdoegel	Reed
Brookhart	Horchem	Rule
Broxam	Kimball	Schaffter
Buser	Kimberly	Scott
Byington	Kingland	Shane
Cessna	LeCompte	Smith
Coburn	Meredith	Stephenson
Edwards	Mitchell	Stoddard
Evans	Nelson	Van Alstine
Fellows	Newberry	Whitmore
Foskett	Parker	Wilson
Foster		

Nays, none.

Absent or not voting, 7.

Balkema	Price	Thompson
Fralley	Taylor	White
Pitt		

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 Proudfoot, Senate File No. 43; a bill for an act to amend Section 3709 of the Code, relating to the time within which a motion for new trial may be made, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Proudfoot 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 vote was:

## Ayes, 42.

Adams	Foster	Rainbow
Anderson	Greenell	Ratcliff
Arney	Hale	Reed
Ball	Haskell	Rule
Brookhart	Horchem	Schaffter
Broxam	Kimball	Scott
Buser	Kimberly	Shane
Byington	Kingland	Smith
Cessna	Meredith	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Nelson	Taylor
Evans	Newberry	Van Alstine
Fellows	Parker	Whitmore
Foskett	Proudfoot	Wilson

Nays, none.

Absent or not voting, 8.

Balkema  
Frailey  
Holdoegel

LeCompte  
Pitt  
Price

Thompson  
White

So the bill having received a constitutional majority was declared to have passed the Senate.

Objection having been raised to the title, Senator Proudfoot moved that the vote by which Senate File No. 43 passed the Senate be reconsidered. Motion prevailed.

Senator Wilson moved that the vote by which Senate File No. 43 went to its third reading be reconsidered. Motion prevailed.

On motion of Senator Rule, 500 extra copies of Senate File No. 75 were ordered printed.

#### LEAVE OF ABSENCE.

On request of Senator Whitmore, leave of absence was granted Senator Price for the day.

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

On request of Senator LeCompte, leave of absence was granted Senator Pitt for the day.

#### CORRECTION OF JOURNAL.

The journal of January 28th was taken up, corrected and approved.

On motion of Senator Kingland, Rule 33 was suspended for the day.

#### MESSAGES FROM THE HOUSE.

The following message was received from the House:

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

Senate Joint Resolution No. 5, fixing the compensation of the officers and employees of the Thirty-eighth General Assembly.

W. C. RAMSAY, *Chief Clerk.*

## HOUSE AMENDMENT TO SENATE JOINT RESOLUTION NO. 5.

Amend Senate Joint Resolution No. 5 by striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. That the following compensation be paid to the officers and employees of the Thirty-eighth General Assembly of the state of Iowa:

Ten dollars (\$10.00) per day to the secretary of the Senate, or the acting secretary of the Senate, and to the chief clerk of the House.

Six dollars (\$6.00) per day to the assistant secretaries, the enrolling clerk, the engrossing clerk, the journal clerks in the Senate, and to the assistant clerk, the reading clerk, the journal clerk, the assistant journal clerk, the engrossing clerk and the enrolling clerk of the House.

Four dollars (\$4.00) per day to the bill clerk, the file clerk, the assistant bill clerk and assistant file clerk of the Senate, and the file clerk, assistant file clerk, the bill clerk and the assistant bill clerk of the House; the postmistress and assistant postmistress and to the chief doorkeepers and assistant doorkeepers, chief janitor and assistant janitors of the Senate and the House, and to the committee clerks of the Senate and the House.

Five dollars (\$5.00) per day to the sergeant-at-arms of the Senate and the sergeant-at-arms of the House, and to the speaker's clerk and the lieutenant governor's clerk.

Two and fifty-hundredths dollars ( $\$2.50$ ) per day to the lieutenant governor's page in the Senate and the speaker's page in the House.

Two dollars (\$2.00) per day to the other pages in the Senate and in the House.

Two dollars (\$2.00) per day to the telephone messengers in the Senate and in the House.

The committee clerks shall be allowed five dollars (\$5.00) per month for typewriter rental. The salaries of all employees listed above to be paid for seven days each week and to date from the date of their employment, such date to be the date upon which they received the oath of office and assumed their duties.

On motion of Senator Rule, Senate adjourned until 11 a. m. Thursday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 30, 1919.

Senate met in regular session, President of the Senate Ernest R. Moore presiding.

Prayer was offered by Rev. Thomas P. Potter, pastor of the M. E. church at State Center.

## PETITIONS AND MEMORIALS.

Senator Evans presented a petition of supervisors of Butler county relative to compensation of county supervisors.

Referred to committee on county and township affairs.

Senator Byington presented a remonstrance of citizens of Iowa county relative to hard surfaced roads.

Referred to committee on highways.

## INTRODUCTION OF BILLS.

By Senator LeCompte, Senate File No. 95, a bill for an act to amend the law as it appears in Section Five Hundred Eighty Six (586) Supplemental Supplement to the Code, 1913, relating to the powers and duties of Township Trustees with reference to cemeteries:—

Read first and second time and referred to committee on county and township affairs.

By Senator Greenell, Senate File No. 96, a bill for an act to amend section one (1) of Chapter two hundred twenty-six (226) to the Acts of the Thirty-Seventh General Assembly relating to Municipal Courts.

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

By Senator Broxam, Senate File No. 97, a bill for an act to amend the law as it appears in section forty-nine hundred and seventy (4970) of the code, relating to the transportation of live stock by common carriers.

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

By Senator Reed, by request, Senate File No. 98, a bill for an act to legalize certain warrants of the City of Oelwein, Iowa.

Read first and second time and referred to committee on judiciary No. 1.

By Senator White, Senate File No. 99, a bill for an act to repeal Section three thousand five hundred thirty six A (3536A) Supplement to the Code, 1913, relative to the legalizing of decrees of court and affidavits of publication and enacting a substitute therefor.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Kingland, Senate File No. 100, a bill for an act to repeal section 1305 of the Code, and enacting a substitute therefor relating to the assessment of all taxable property, and providing that the interest of mortgagees in real estate mortgages shall be exempted from taxation to the owner of the land and assessed to the owner of the mortgage or other security in real estate, and providing that taxation of real estate securities shall be made against the owner of such security in the county, city or district in which the property affected thereby is situated.

Read first and second time and referred to committee on ways and means.

By Senator Kimberly, Senate File No. 101, a bill for an act to amend section nine hundred and thirty-two-e (932-e) of the supplement to the code relating to pensions for disabled and retired firemen.

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

By Senator Pitt, Senate File No. 102, a bill for an act Appropriating \$561.52 in favor of P. K. Holbrook for per diem and



railroad fare at 2c a mile incurred by him in discharge of his official duties as a member of the Iowa State Board of Education from July 14, 1915 to October 12, 1916 inclusive.

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

By Senator Coburn, Senate File No. 103, a bill for an act to authorize the paving by the State of Iowa of the public highway along the south side of the property owned by the State in connection with the Hospital for Insane at Cherokee, Iowa, and to make an appropriation therefor.

Read first and second time and referred to committee on board of control.

By Senator Kingland, Senate File No. 104, a bill for an act to amend section forty-three hundred eighty-five (4385) and section forty-three hundred eighty-six (4386) of the code, relating to arbitration and providing that in civil actions where the amount in controversy does not exceed five hundred dollars (\$500), such controversies must be arbitrated.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Kingland, Senate File No. 105, a bill for an act to provide method of changing boundary lines between school districts.

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

By Senator Parker, Senate File No. 106, a bill for an act to amend section ten hundred fifty-six a-eleven, (1056-a11) of the supplement to the code, 1913, relating to municipal accounting.

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

By Senator Parker, Senate File No. 107, a bill for an act to reimburse Melvin Polson for injuries received while confined in the State Penitentiary at Fort Madison.

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

## MESSAGES FROM THE HOUSE.

The following message was received from the House:

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

House File No. 13, a bill for an act to legalize elections in Huron Township, Des Moines County, Iowa.

Also:

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 furnishing postage to the members of the Legislature.

W. C. RAMSAY, *Chief Clerk.*

## LEAVE OF ABSENCE.

On request of Senator Whitmore, leave of absence was granted Senator Price for the day.

On request of Senator Fellows, leave of absence was granted Senators Ball and Balkema for the day.

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

On request of Senator Kingland, leave of absence was granted Senator Nelson for the day.

## HOUSE MESSAGES CONSIDERED.

House concurrent resolution:

*Be It Resolved by the House of the Thirty-eighth General Assembly, the Senate concurring:*

That the chief clerk of the House and the secretary of the Senate be and are hereby authorized to provide at their desks postage stamps for all official mail which shall be delivered to the desk of the respective houses, and

That the funds for said postage stamps shall be obtained upon requisition by the chief clerk of the House and the secretary of the Senate upon the auditor of state.

That the mail entitled to be stamped at the expense of the state, as provided in this resolution, shall be the mail of any member or officer of

the general assembly relating to matters of business or information of the general assembly, but shall not apply to any private letters, communications or matters relating to the private business of the members. The officers and members of the respective houses shall deliver to the desk such official mail in the official envelopes of the legislature, and the same shall be stamped for postage at the desk and promptly delivered to the post office at the state house.

Objections being made to immediate consideration the resolution was laid over under the rules.

House File No. 13, a bill for an act to legalize a special election held at the Hawkeye school house in Huron township, Des Moines county, Iowa, on the 19th day of June, 1918 to vote upon the proposition of organizing a consolidated independent school district, to be composed of parts of Huron and Yellow Springs townships in Des Moines county, Iowa, and to legalize the said consolidated independent school district and to ratify and confirm the election of officers and the organization of the board of directors of said consolidated independent school district and to ratify and confirm all the acts of the said board so elected and organized, and to legalize the special election held at said school house on the 19th day of June 1918 for the purpose of authorizing the issue of bonds of said district in the sum of \$55,000.00 for the purchase of a site for a school house and for the erection and equipping thereon of a school house and teacher's home.

Read first and second time and referred to committee on judiciary No. 2.

#### HOUSE AMENDMENT TO SENATE JOINT RESOLUTION NO. 5.

Joint resolution relative to compensation of officers and employees of the Thirty-eighth General Assembly.

Senator Parker offered the following amendment:

I move that the resolution be amended by adding the words "and fifty cents" following the word "dollars" found in the section relating to telephone messengers.

The amendment was adopted.

Senator LeCompte offered the following amendment:

I move to amend the House amendment to Senate Joint Resolution No. 5 by striking out of line one in paragraph 3, Section one, the words and

figures, "Six Dollars (\$6.00)" and inserting in lieu thereof the words and figures, "Seven Dollars (\$7.00)."

The amendment was adopted.

On the question, "Shall the Senate concur in the House amendment to Senate Joint Resolution No. 5," the vote was:

Ayes, 36.

Adams	Haskell	Ratcliff
Anderson	Horchem	Reed
Brookhart	Kimball	Rule
Broxam	Kimberly	Schaffter
Byington	Kingland	Shane
Cessna	LeCompte	Stephenson
Evans	Meredith	Stoddard
Fellows	Newberry	Thompson
Foskett	Parker	Van Alstine
Fralley	Pitt	White
Greenell	Proudfoot	Whitmore
Hale	Rainbow	Wilson

Nays, 2.

Buser	Edwards
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Absent or not voting, 12.

Arney	Foster	Price
Balkema	Holdoegel	Scott
Ball	Mitchell	Smith
Coburn	Nelson	Taylor

So the House amendment, as amended, having received a constitutional majority was declared to have been concurred in.

#### COMMUNICATION RELATIVE TO ALLISON MONUMENT.

The following communication was received and ordered printed in the journal:

*To the Senate of the Thirty-eighth General Assembly:*

GENTLEMEN—Replying to your resolution of January 23rd, relating to chapter 99, acts of the Thirty-seventh General Assembly in reference to re-location of Allison monument, in which said resolution the executive council is directed to report to said Senate why the executive council has not obeyed the law and removed the Allison monument.

Section 1 of chapter 99, acts of the Thirty-seventh General Assembly, among other things, provides, "And the permanent location of the Allison monument is hereby left to the discretion of the executive council, and they are hereby authorized and instructed to remove same."

The executive council respectfully submits for your consideration as one of the reasons why it has followed the course which it has, that, exercising the discretion clearly and explicitly conferred upon said council in said law, it has not yet settled upon a re-location for the said Allison monument.

Further, the chapter above referred to did not go into effect until July 4th, 1917. At that time our country was engaged in war with Germany. Already thousands of Iowa citizens had joined the army and more were being called. The council felt that growing out of this war there would be a desire on the part of the citizens of the state to properly represent the heroism displayed by the men of this state in some suitable monument, commemorative of this period, and, with this thought in mind, they delayed action, feeling that the permanency of these monuments is such that when their location is established it ought to receive careful consideration and study.

The matter of the development of the capitol extension grounds is one of considerable importance from an architectural standpoint, and whatever monuments are located upon said grounds should be placed in their proper location to harmonize with the whole general scheme.

Further, the council is informed that the Allison monument was largely a gift from people residing outside of the state of Iowa. Under statute the said Allison monument was located in its present position by the Allison Memorial Commission, after consultation with the donors who reside outside of the state, and also with the late General Grenville M. Dodge, who was greatly interested in the erection of said monument and was perhaps the moving spirit in securing its placement within the borders of the state of Iowa. Up to the present time the monument has not been formally turned over to the state of Iowa, and, therefore, has not been adopted by the state of Iowa. A delicacy in this situation has presented itself to the council and we have not felt that the opinions and feelings of those who made this monument possible should be disregarded. In view of the fact that the capitol extension grounds are permanent we were of the opinion that the whole matter required further study on the part of men learned in the art of placing statuary in the most advantageous position.

We beg to assure the Senate that we have not been unmindful of the statute and that there has been no thought on the part of the executive council to ignore this measure, but felt that the statute was drawn for the very purpose of leaving to its discretion the development of the capitol extension grounds.

EXECUTIVE COUNCIL OF THE STATE OF IOWA,  
By R. E. BALES, *Secretary*.

SUBSTITUTE FOR SENATE FILE NO. 43.

Senator Proudfoot offered the following substitute for Senate File No. 43 and asked that it be printed in the journal:

## SENATE FILE 109.

## SUBSTITUTE FOR SENATE FILE NO. 43, BY PROUDFOOT.

A BILL for an act to amend Sections thirty-seven hundred nine (3709) and thirty-seven hundred fifty-six (3756) of the Code, relating to the time within which exceptions to the charge or instructions may be given and the time within which a motion for a new trial may be made.

*Be It Enacted by the General Assembly of the State of Iowa:*

SECTION 1. That Section thirty-seven hundred nine (3709) of the Code be and the same is hereby amended by striking out from line 3 thereof the word "three" and inserting in lieu thereof the word "five."

Sec. 2. That Section thirty-seven hundred fifty-six (3756) of the Code be and the same is hereby amended by striking out from line 2 thereof the word "three" and inserting in lieu thereof the word "five."

Sec. 3. This act shall not apply to any proceedings now pending or be given a retroactive effect.

## REPORTS OF COMMITTEES.

Senator Whitmore, from the committee on elections, submitted the following report:

MR. PRESIDENT—Your committee on Elections to whom was referred Senate File No. 61, a bill for an act to amend the law as it appears in sections 1106 and 1120, supplement to the code, 1913, relating to the matter of the election of president and vice president, and providing for the form and arrangement of the ballot and the manner of counting the votes registered upon such ballot, beg leave to report they have had the same under consideration and recommend the same be incorporated in Senate File No. 21 by Kimball, as shown in report on said bill, which report is made with this report.

CHESTER W. WHITMORE, *Chairman.*

Ordered passed on file.

Also:

Your committee on elections, to whom was referred Senate File No. 21, a bill for an act to amend section 1099 of the code of 1897, and sections 1106, 1119, 1120, 1150, 1151, 1157, 1087-c and 1173 of the supplement to the code, 1913, and relating to election of presidential electors and United States senators and of vote therefor and removal of presidential electors from official ballot, 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:

By incorporating Senate File No. 61 by Meredith in Senate File No. 21.

By changing the word "of" in line 12 of section 2 of the original bill to the word "or."

By inserting after the word "electors" in the 23rd line of section 2 the following: "and upon the left-hand margin of each separate column of the ballot, immediately opposite the names of said candidates for president and vice president, a single square shall be printed in front of a bracket inclosing the names of the said candidates for president and vice president."

That the form of the ballot in lines 65 to 70 inclusive of section 2 be stricken out and the following be substituted therefor:

{ For President,	{ For President,	{ For President,	{ For President,
A— B—	N— O—	A— B—	N— O—
of Ohio.	of Virginia.	of Maine.	of Idaho.
□ { For Vice Pres-	□ { For Vice Pres-	□ { For Vice Pres-	□ { For Vice Pres-
ident.	ident.	ident.	ident.
C— D—	P— Q—	C— D—	P— Q—
of New York.	of Indiana.	of Illinois.	of Ohio.

That the word "electors" be stricken out of line 24, section 6, and the word "elections" be substituted therefor.

CHESTER W. WHITMORE, *Chairman.*

Ordered passed on file.

Also:

Your committee on elections, to whom was referred Senate File No. 11, a bill for an act amending Chapter 2-a of title six of the supplement to the code, 1913, and relating to primary elections and nominations of candidates for office and the election of delegates to various party conventions and the regulation of such party conventions, the selection of committeemen, and filing of nomination papers, the preparation and form of the primary ballot and the count and canvass of the vote at such election and the certification thereof; provision for deciding a tie vote and for vacancy in nomination and for repeal of sections in conflict therewith, 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:

By striking out the words beginning in line 15 of section 1 as follows: "The delegates of each county to the state conventions shall be delegates to all conventions of their respective parties in districts comprising more than one county."

That the word "by" be substituted for the word "be" in the 14th line of section 5.

By striking out the words "state and" in line 31 of section 5.

By inserting after the word "form:" in line 5 of section 6 the following:

(Name of Party)

PRIMARY ELECTION BALLOT.

.....day of August, 19.....

.....Township or Precinct, .....Ward, City or Town of

.....County of ....., State of Iowa. \

For United States Senator.

(Vote for one)

- William K. Brown  
 J. R. Jayne  
 \_\_\_\_\_

For Governor.

(Vote for one)

- Howard Collins  
 William Longley  
 \_\_\_\_\_

For Lieutenant Governor.

(Vote for one)

- John Jenkins  
 Wallace Horton  
 \_\_\_\_\_

(Followed by district officers in order)

For County Auditor.

(Vote for one)

- William Foster  
 Robert S. Thompson  
 \_\_\_\_\_

Followed by county officers in order)

For Delegates to County Convention.

(Vote for ——)

- John Willis  
 Oscar Needham  
 Walter Jensen  
 W. E. Feed  
 \_\_\_\_\_



## For Township Clerk.

(Vote for one)

- John H. Black  
 Frank Strong  
 \_\_\_\_\_

## For Township Trustees.

(Vote for three)

- George James  
 H. S. Wilson  
 Frank Kelley  
 P. S. Dugan  
 \_\_\_\_\_

(Followed by other elective township officers in order.)

By substituting for the word "return" in line 13 of section 7 the word "returning."

By inserting in section 12 and in line 63 after the words "state convention" the words "and all district conventions of that year."

By substituting for the word "state" the word "district" in the 11th line of section 14.

That the words "upon his election" be stricken out of line 12 of section 14.

That the words beginning with "The delegates" in line 33 and down to and including the words "and procedure" beginning line 36 in section 14 be stricken out and the following substituted therefor: "The organization and procedure of such district convention."

By substituting for the word "them" in line 38 of section 14 the word "it."

By substituting for the word "thereon" in line 12 of section 15 the word "thereof."

By striking out the words "the city" in line 34 of section 16, and substitute therefor the words "city offices."

By striking out section 20 of said bill.

CHESTER WHITMORE, *Chairman.*

Ordered passed on file.

Senator Wilson, from the committee on Judiciary No. 1, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary No. 1 to whom was referred Senate File No. 37, a bill for an act to legalize the organization, incorporation, acts, transactions, plats, deeds, conveyances, and other instruments and acts executed and done by the Marcus & Amherst Cemetery Association of Cherokee County, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 80, a bill for an act to amend Section 3439 of the supplement to the Code, 1913, relating to the limitation of actions on judgments, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. M. WILSON, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 52, a bill for an act to legalize the reincorporation of the Page County Building and Loan Association of Clarinda, Page County, Iowa and to legalize the officers of said association, etc., beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same do pass.

J. M. WILSON, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 44, a bill for an act to repeal Section 694-c3, supplemental supplement to the code, 1915, and enacting a substitute therefor, providing the method of submitting the proposition of the establishment of municipal court, etc., beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman*.

Ordered passed on file.

Senator Proudfoot, from the committee on judiciary No. 2, submitted the following report:

MR. PRESIDENT—Your committee on Judiciary No. 2 to whom was referred Senate File No. 83, a bill for an act to amend section 245-a, supplement to the code, 1913, relating to reporter's notes as evidence, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 4, a bill for an act to amend section 1641-b of the supplement to the Code, 1913, providing for the appraisalment of property for which it is proposed to issue stock of a corporation for pecuniary profit, beg leave to report they have had the same under consideration and recommend that the accompanying committee bill be substituted therefor.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

SENATE FILE NO. 110—SUBSTITUTE FOR SENATE FILE NO. 4.

By Senate Committee on Judiciary No. 2.

A bill for an act to amend section sixteen hundred forty-one-b (1641-b) of the supplement to the code, 1913, providing for the appraisalment of property for which it is proposed to issue stock of a corporation for pecuniary profit.

### THIRD READING OF BILLS.

On motion of Senator Horchem, Senate File No. 17, a bill for an act to amend Section Two Hundred fifty-four-a-20 (254-a-20) Supplement to the Code, 1913, relating to commitments in Juvenile Courts, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Horchem moved the adoption of the following committee amendment:

By eliminating the apostrophe at end of Section 1, and adding thereto the following: Such children shall be eligible to admission to the Soldiers' Orphans' Home, Davenport, Iowa, under the laws and rules applying to the admission of other children to this institution.

The amendments were adopted.

Senator Horchem 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 vote was:

Ayes, 43.

Adams	Greenell	Reed
Anderson	Hale	Rule
Arney	Haskell	Schaffter
Brookhart	Kimball	Scott
Broxam	Kimberly	Shane
Buser	Kingland	Smith
Byington	LeCompte	Stephenson
Cessna	Meredith	Stoddard
Coburn	Newberry	Taylor
Edwards	Parker	Thompson
Evans	Pitt	Van Alstine
Fellows	Proudfoot	White
Foskett	Rainbow	Whitmore
Fralley	Ratcliff	Wilson

Nays, none.

Absent or not voting:

Balkema	Holdoegel	Nelson
Ball	Mitchell	Price
Foster		

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

#### EXECUTIVE SESSION.

On motion of Senator Arney, the Senate went into executive session.

Senator Arney offered the following amendment to the Senate Rules:

MR. PRESIDENT—I move to amend the Senate rules by adding thereto, as Rule 43, the following: In all executive sessions the method of voting shall be as follows: The secretary shall cut the Senate roll call into slips, the roll shall be called, and each Senator shall obtain the slip bearing his own name. After having marked his vote, the secretary shall collect same and hand to the presiding officer, who shall then obtain the result of the vote, and shall announce the result in this way: "The confirmation of ..... is agreed to," or "The confirmation of ..... is refused." The president shall then place these ballots in an envelope and seal it, and retain same until the close of the legislative session, when he shall destroy them.

Upon the roll being called, the amendment was adopted.

The Senate advised and consulted concerning the nomination of Honorable J. F. Taake of Polk County, for the office of commissioner of insurance for the period of four years beginning February 1, 1919, and refused to confirm such nomination.

Senate arose from executive session and resumed regular session.

#### INTRODUCTION OF BILLS BY UNANIMOUS CONSENT.

By Senator Kimball, Senate File No. 108, a bill for an act to amend Section 168 of the Supplement to the Code, 1913, relating to the furnishing of postage for the business of the State to the General Assembly.

Read first and second time.

On motion of Senator Kimball, the rule whereby no bill may be read a second and third time the same day was suspended.

Senator Kimball moved that the rules be suspended, the bill be considered engrossed and read a third time now, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 15.

Brookhart	Greenell	Rule
Broxam	Holdoegel	Scott
Evans	Horchem	Shane
Foster	Kimball	Thompson
Frailey	Rainbow	Van Alstine

Nays, 27.

Adams	Foskett	Proudfoot
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Buser	Kimberly	Smith
Byington	Kingland	Stephenson
Cessna	Meredith	Stoddard
Coburn	Newberry	White
Edwards	Parker	Whitmore
Fellows	Pitt	Wilson

Absent or not voting:

Balkema	Mitchell	Schaffter
Ball	Nelson	Taylor
LeCompte	Price	

So the bill having failed to receive a constitutional majority was declared to have been lost.

#### RESOLUTION RELATING TO POSTAGE CONSIDERED.

By unanimous consent, Senator Kimball called up for consideration House concurrent resolution relative to supplying postage to members of the Thirty-eighth General Assembly, and moved that the resolution be indefinitely postponed.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

I am directed to request your honorable body to return the House concurrent resolution, in which the concurrence of the Senate was asked:

Concurrent resolution relative to supplying members of the Thirty-eighth General Assembly with postage.

W. C. RAMSAY, *Chief Clerk.*

By unanimous consent Senator Kimball withdrew his motion to indefinitely postpone the resolution.

The request for the return of the resolution to the House was granted.

#### CORRECTION OF JOURNAL.

The journal of January 29th was taken up, corrected and approved.

On motion of Senator Kingland Senate adjourned until 10:00 a. m. Friday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, JANUARY 31, 1919.

Senate met in regular session, President of the Senate Ernest R. Moore presiding.

Prayer was offered by Rev. L. B. Carpenter, pastor of the M. E. church of Panora.

## LEAVE OF ABSENCE.

On request of Senator Whitmore, leave of absence was granted Senators Price and Balkema for the day.

On request of Senator Stoddard, leave of absence was granted Senator Ratcliff for the day.

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

On request of Senator Stoddard, leave of absence was granted Senator Shane for the day.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

Your joint committee on enrolled bills respectfully report that they have examined and find correctly enrolled the following bill:

House File No. 5, a bill for an act to legalize the action of the electors and the board of directors of the Independent School District of Dallas Center, Dallas County, Iowa, in calling and holding an election authorizing the said independent district to issue bonds of said independent district to the amount of eight thousand dollars, for the purpose of providing additional heating facilities and for necessary repairs for the school buildings in said independent school district, and for legalizing said bonds.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

The report was adopted.

## INTRODUCTION OF BILLS.

By Senator Evans, Senate File No. 111, a bill for an act to amend sections twenty hundred and nine (2009) and twenty hundred twenty-four-d (2024-d) of the Supplement to the Code, 1913, relating to condemnation of land for state purposes.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Adams, Senate File No. 112, a bill for an act amending Section Number eighteen (18) of Chapter Number four hundred twenty-nine (429) of the Laws of the Thirty-seventh General Assembly, providing for the organizing, admitting, licensing, and regulating of insurance companies other than life, by prescribing the amount of capital required for companies insuring livestock exclusively.

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

By Senator Foster, Senate File No. 113, a bill for an act to amend Section Thirty-one Hundred and Seventy-four (3174) of the Code, relative to cause for divorce.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Meredith, Senate File No. 114, a bill for an act to amend section twenty-nine hundred eighty-five (2985) of the code 1897, relating to descent and exemption of homesteads.

Read first and second time and referred to committee on ways and means.

By Senators Hale and Frailey, Senate File No. 115, a bill for an act to repeal the law as it appears in section fifty-seven hundred sixteen (5716) of the supplemental supplement to the code of Iowa, 1915, and to enact a substitute therefor providing for the compensation and allowances of officers and employees of the Reformatory at Anamosa, Iowa, and the Penitentiary at Fort Madison, Iowa.

Read first and second time and referred to committee on board of control.



## RESOLUTION FOR MEMORIAL COMMITTEE.

Senator Kingland offered the following resolution:

*Whereas*, The Honorable Jas. A. Smith of Osage, Mitchell County, Iowa, a member of the Twenty-second, Twenty-third, Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, Third-third and Thirty-fourth General Assemblies, most of which time he was a member of this body, died at his California home in Pasadena, California, January 12, 1918; therefore,

*Be It Resolved*, That a committee of three be appointed to prepare a memorial fittingly to commemorate his life and services to his state and nation.

By unanimous consent the resolution was taken up for consideration and adopted.

The president appointed as such committee, Senators Kingland, Wilson and Horchem.

## REPORT OF COMMITTEE.

Senator Parker, 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 to amend Section six hundred eighty-one (681) of the Code, relative to the adoption of ordinances of Cities and Towns, 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.

By striking out the words "or partial" found in the fourth line thereof.

ADDISON M. PARKER,  
*Chairman.*

Ordered passed on file.

## THIRD READING OF BILLS.

On motion of Senator Whitmore, Senate File No. 83, a bill for an act to amend section 245-a, supplement to the Code, 1913, relating to reporter's notes as evidence, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Further action deferred.

On motion of Senator Proudfoot, Senate File No. 109, a substitute for Senate File No. 43, a bill for an act to amend Sections

thirty-seven hundred nine (3709) and thirty-seven hundred fifty-six (3756) of the Code, relating to the time within which exceptions to the charge or instructions may be given and the time within which a motion for a new trial may be made, was read first and second times and was taken up for consideration by unanimous consent.

On motion of Senator Proudfoot the rule whereby no bill may be read a second and third time on the same day was suspended.

Senator Proudfoot 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 vote was:

Ayes, 41.

Adams	Hale	Reed
Arney	Haskell	Rule
Ball	Holdoegel	Schaffter
Brookhart	Horchem	Scott
Buser	Kimberly	Smith
Byington	Kingland	Stephenson
Cessna	LeCompte	Stoddard
Coburn	Meredith	Taylor
Edwards	Nelson	Thompson
Evans	Newberry	Van Alstine
Fellows	Parker	White
Foskett	Pitt	Whitmore
Foster	Proudfoot	Wilson
Greenell	Rainbow	

Nays, none.

Absent or not voting, 9.

Anderson	Fralley	Price
Balkema	Kimball	Ratcliff
Broxam	Mitchell	Shane

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 arranging a program in commemoration of the life of Theodore Roosevelt, and the speaker appoints as a joint committee on the part of the House: Hauge, King, Miller.

Also:

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

Senate Joint Resolution No. 5 relative to compensation of officers and employees of the Legislature.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGE CONSIDERED.

*Be It Resolved by the House, the Senate concurring,* That a joint committee of six be appointed, three to be members of the House appointed by the speaker and three to be members of the Senate appointed by the president, to fix a time and arrange a program in commemoration of the life of Theodore Roosevelt, also prepare suitable resolutions to be passed by this assembly, a copy of which is to be properly certified to by the president of the Senate and the speaker of the House and sent to the family of the late Theodore Roosevelt.

By unanimous consent, the resolution was taken up for immediate consideration.

On motion of Senator Parker, the Senate concurred in the resolution.

The president appointed as such committee, Senators Parker, Proudfoot and Byington.

#### MOTION TO RECONSIDER.

Senator Schaffter moved that the vote by which Senate File No. 109, substitute for Senate File No. 43, passed the Senate, be reconsidered.

The motion prevailed.

Senator Schaffter moved that the vote by which Senate File No. 109, substitute for Senate File No. 43, passed to its third reading, be reconsidered.

The motion prevailed.

Senator Wilson moved to strike out section 3 of the bill.

Motion prevailed.

Senator Proudfoot 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 vote was:

Ayes, 42.

Adams	Foster	Proudfoot
Anderson	Greenell	Rainbow
Arney	Hale	Reed
Ball	Haskell	Rule
Brookhart	Holdoegel	Schaffter
Broxam	Horchem	Scott
Buser	Kimberly	Smith
Byington	Kingland	Stephenson
Cessna	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Nelson	Thompson
Evans	Newberry	Van Alstine
Fellows	Parker	Whitmore
Foskett	Pitt	Wilson

Nays, none.

Absent or not voting, 8.

Balkema	LeCompte	Shane
Fralley	Price	White
Kimball	Ratcliff	

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

#### CORRECTION OF THE JOURNAL.

The journal of January 30th was taken up, corrected and approved.

On motion of Senator Parker, Senate adjourned until 10:00 a. m. Saturday.

# JOURNAL OF THE SENATE

SENATE CHAMBER  
DES MOINES, IOWA, FEBRUARY 1, 1919.

Senate met in regular session, President Pro Tempore Wallace H. Arney presiding.

Prayer was offered by Rev. Alfred Truman Bishop, pastor of the Methodist Episcopal church of Perry.

## LEAVE OF ABSENCE.

On request of Senator Anderson, leave of absence was granted Senator Stoddard for the day.

On request of Senator Whitmore, leave of absence was granted Senators Price and Kimball for the day.

On request of Senator Stephenson, leave of absence was granted Senator Brookhart for the day.

On request of Senator Pitt, leave of absence was granted Senator Haskell for the day.

On request of Senator Scott, leave of absence was granted Senator Proudfoot for the day.

On request of Senator Fellows, leave of absence was granted Senators Balkema and Smith for the day.

Senator Pitt moved that rule 33 be suspended for the day. Carried.

## PETITIONS AND MEMORIALS.

Senator Taylor presented a petition of Iowa State Federation of Labor relative to the housing law.

Referred to committee on cities and towns.

Senator Evans presented a petition of Iowa State Federation of Labor relative to the housing law.

Referred to committee on cities and towns.

Senator Mitchell presented a petition of pupils from the Lincoln School, Oskaloosa, relative to cigarettes.

Referred to committee on public health.

Senator Thompson presented a petition of the Grace M. E. church, Burlington, relative to constitutional amendment prohibiting the traffic of intoxicating liquors.

Referred to committee on constitutional amendments.

Senator Buser presented a petition of Iowa State Federation of Labor relative to the housing law.

Referred to committee on cities and towns.

Senator Mitchell presented a petition of Iowa State Federation of Labor relative to the housing law.

Referred to committee on cities and towns.

#### REPORT OF COMMITTEE ON RULES.

*To the Honorable President of the Senate of the Thirty-eighth General Assembly of Iowa:*

MR. PRESIDENT—Your Senate Committee on Rules in regard to the rules of the Senate of the Thirty-eighth General Assembly, respectfully report that the committee recommends that Senate rules heretofore adopted at this session, together with the rules of the Senate of the Thirty-seventh General Assembly, be adopted as the rules of the Senate of the Thirty-eighth General Assembly.

Dated February 1, 1919.

T. C. CESSNA, *Chairman.*

On motion of Senator Whitmore the report was adopted.

#### HONORS TO CAPTAIN OSCAR B. NELSON.

On motion of Senator Whitmore, the following was ordered printed in the Senate journal as a public honor on behalf of the state of Iowa to the memory of Captain Oscar B. Nelson, second lieutenant of Company G (Ottumwa, Iowa), 168th Infantry (Rainbow Division), later promoted to the captaincy of Company H (Oskaloosa, Iowa) of the same regiment, and which company he was leading in a successful attack on Cote de Chattillere at the time of his death:

"Washington, D. C., January, 1919.

Office of the Adjutant General of the  
United States Army.

Jacob Nelson,  
1706 West Second Street,  
Ottumwa, Iowa.

"Dear Sir: This office has been advised by cable by the commanding general, American Expeditionary Forces, that he has awarded the distinguished service cross posthumously to your son, First Lieutenant Oscar B. Nelson, 168th Infantry, for extraordinary heroism in action at La Tuillerie farm, France, October 16, 1918. Lieutenant Nelson, alone, attacked two enemy machine guns, killing two of the enemy and capturing nineteen.

"Lieutenant Nelson is awarded a bronze oak leaf for the following act of extraordinary heroism in action at La Tuillerie farm, October 16, 1918. Accompanied by six soldiers this officer advanced 600 yards beyond his own lines through heavy fire from enemy artillery, machine guns and rifles and captured two more machine guns, killing, capturing or dispersing their crews.

"Still later in the day, he led his company in an attack on Chatillon Hill and took the objective, but in so doing received wounds which caused his death.

"His coolness, courage and utter disregard for his own safety were a source of great inspiration.

RALPH HARRISON, *Adjutant General.*"

The following is an extract taken from a letter received by the father of Captain Nelson, from Lieutenant-Colonel Stanley of the regiment:

"After he received his mortal wound he got into a shell hole to protect himself against the enemy fire. He directed the litter bearers who came after him to remain there under cover and not expose themselves, as he realized the nature of his wound."

RESOLUTION RELATIVE TO FEDERAL SHIELD.

Senator Whitmore offered the following concurrent resolution:

*Be It Resolved by the Senate, the House Concurring:*

That the custodian is hereby authorized and instructed to cause the insignia of the federal shield inlaid in the terrazzo floor of the rotunda of the state house to be removed and replaced with plain terrazzo corresponding with the main body of the rotunda floor and have this work completed prior to March 15, 1919.

By unanimous consent taken up for consideration.

On motion of Senator Thompson the resolution was referred to a special committee of five, with instructions to report back to the Senate within an hour.

President Pro Tem Arney appointed as such committee, Senators Thompson, Whitmore, Rule, White and Stephenson.

#### HOUSE FILE SIGNED.

President Pro Tem Arney announced that as president pro tem of the Senate, in the presence of the Senate, he had signed House File No. 5.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled:

Senate Joint Resolution No. 3, joint resolution relating to the selection of additional employees of the Thirty-eighth General Assembly of the state of Iowa, fixing their compensation and defining their duties.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 Joint Resolution No. 3, joint resolution relating to the selection of additional employees of the Thirty-eighth General Assembly of the state of Iowa, fixing their compensation and defining their duties.

EUGENE SCHAFFTER, *Chairman Senate Committee.*  
WILL L. KING, *Chairman House Committee.*

Adopted.

#### REPORTS OF COMMITTEES.

Senator Holdoegel, from the committee on departmental affairs, submitted the following report:

MR. PRESIDENT—Your committee on departmental affairs to whom was referred Senate File No. 47, a bill for an act to amend section 2900-a-6 of the Supplement to the Code, 1913, and relating to compensation for sur-



veyors surveying abandoned river channels, sand bars or islands, beg leave to report they have had the same under consideration and recommend the same do pass.

PERRY C. HOLDORGE, *Chairman.*

Ordered passed on file.

Senator Wilson, from the committee on judiciary No. 1, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 1 to whom was referred Senate File No. 98, a bill for an act to legalize certain warrants of the city of Oelwein, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 22, a bill for an act to amend Section five thousand three hundred sixty-five (5365) of the Code and to determine the number of peremptory challenges and of selecting the petit jury from the panel in criminal cases, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the committee bill offered herewith be substituted therefor.

J. M. WILSON, *Chairman.*

SENATE FILE NO. 116 BY COMMITTEE ON JUDICIARY NO. 1.

SUBSTITUTE FOR SENATE FILE NO. 22.

A bill for an act to amend Section five-thousand three-hundred sixty-five (5365) of the Code and to determine the number of peremptory challenges and of selecting the petit jury from the panel in criminal cases.

Read first and second times.

SENATE FILE NO. 5 WITHDRAWN.

By unanimous consent Senator Schaffter withdrew Senate File No. 5 from further consideration.

MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House File No. 26, a bill for an act relating to partition fences.

W. C. RAMSAY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to 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 relating to warrants to pay certain claims.

W. C. RAMSAY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to 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 legalizing certain warrants of the city of Sac City.

W. C. RAMSAY, *Chief Clerk.*

Also:

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

House File No. 73, a bill for an act relative to eradication of the harmful barberry and other plants.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGE CONSIDERED.

House File No. 26, a bill for an act to amend section twenty-three hundred and fifty-five (2355) of the code of Iowa in relation to partition fences.

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

House File No. 40, a bill for an act to amend section four hundred fifty-eight-d (458-d) supplement to code, 1913, relating to the drawing of warrants to pay claims for injuries to domestic animals, and providing when said warrants shall be drawn.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 50, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Sac City, Sac County, Iowa.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 73, a bill for an act amending section two thousand five hundred and seventy five-a forty-eight (2575-a48), of the supplement to the code, 1913, relating to the eradication of harmful barberry, or other plants that act as alternate hosts or carriers of dangerous insect, pest, or plant disease, and prescribing the duties of the state entomologist in relation thereto.

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

#### THIRD READING OF BILLS.

On motion of Senator Foskett, Senate File No. 52, a bill for an act to legalize the reincorporation of the Page County Building and Loan Association of Clarinda, Iowa, and to legalize the election of officers of said association, the acts of said officers, its board of directors, the issuing of stock, the making of loans, and the purchase of and taking securities of said association, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Foskett 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 vote was:

Ayes, 35.

Adams	Hale	Ratcliff
Anderson	Holdoegel	Reed
Arney	Horchem	Rule
Ball	K'mberly	Schaffter
Buser	Kingland	Scott
Coburn	Meredith	Stephenson
Edwards	Mitchell	Taylor
Evans	Nelson	Thompson
Fellows	Newberry	Van Alstine
Foskett	Parker	White
Fralley	Pitt	Wilson
Greenell	Rainbow	

Nays, none.

Absent or not voting, 15.

Balkema	Foster	Proudfoot
Brookhart	Haskell	Shane
Broxam	Kimball	Smith
Byington	LeCompte	Stoddard
Cessna	Price	Whitmore

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 Coburn, Senate File No. 37, a bill for an act to legalize the organization, incorporation, acts, transactions, plats, deeds, conveyances, and other instruments and acts executed and done by the Marcus & Amherst Cemetery Association of Cherokee County, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Coburn 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 vote was:

Ayes, 35.

Adams	Hale	Reed
Anderson	Holdoegel	Rule
Arney	Horchem	Schaffter
Buser	Kimberly	Scott
Coburn	Kingland	Stephenson
Edwards	Meredith	Taylor
Evans	Mitchell	Thompson
Fellows	Newberry	Van Aistine
Foskett	Parker	White
Foster	Pitt	Whitmore
Fralley	Rainbow	Wilson
Greenell	Ratcliff	

Nays, none.

Absent or not voting, 15.

Balkema	Cessna	Price
Ball	Haskell	Proudfoot
Brookhart	Kimball	Shane
Broxam	LeCompte	Smith
Byington	Nelson	Stoddard

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 Whitmore, Senate File No. 83, a bill for an act to amend section 245-a, Supplement to the Code, 1913, relating to reporter's notes as evidence, with report of committee recommending passage, was taken up and considered, the report of the committee having been adopted.

Senator Whitmore 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 vote was:

Ayes, 32.

Adams	Greenell	Reed
Anderson	Hale	Rule
Arney	Holdoegel	Schaffter
Buser	Kimberly	Scott
Coburn	Kingland	Stephenson
Edwards	Mitchell	Taylor
Evans	Newberry	Thompson
Fellows	Parker	Van Alstine
Foskett	Pitt	Whitmore
Foster	Rainbow	Wilson
Fralley	Ratcliff	

Nays, none.

Absent or not voting, 18.

Baikema	Haskell	Price
Ball	Horchem	Proudfoot
Lrookhart	Kimball	Shane
Broxam	LeCompte	Smith
Byington	Meredith	Stoddard
Cessna	Nelson	White

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 UNANIMOUS CONSENT.

By Senator Frailey, Senate File No. 117, a bill for an act to amend section five thousand seven hundred eighteen-a fourteen (5718-a 14), of the Supplement to the Code, 1913, relating to the compensation of the Members of the Board of Parole.

Read first and second time and referred to committee on departmental affairs.

By Senator Van Alstine, Senate File No. 118, a bill for an act to repeal sections sixteen hundred fourteen-c (1614-c), sixteen hun-

dred fourteen-d (1614-d), sixteen hundred fourteen-e (1614-e), sixteen hundred fourteen-f (1614-f), sixteen hundred fourteen-g (1614-g), sixteen hundred fourteen-h (1614-h), sixteen hundred fourteen-i (1614-i), sixteen hundred fourteen-j (1614-j), sixteen hundred fourteen-k (1614-k), of the Supplement to the Code, 1913, relating to annual reports by corporations and to enact a substitute therefor, and making provision for forfeiture and cancellation of charter, and right to do business in this state.

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

By Senator Van Alstine, Senate File No. 119, a bill for an act to repeal section thirty-three hundred and seventy-six (3376), supplement to the code, 1913, and to enact a substitute therefor, relating to election by a surviving spouse to take or to refuse to take under a decedent's will.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Van Alstine, Senate File No. 120, a bill for an act to amend the law as it appears in section thirty-two hundred and ninety-four (3294) of the code, relating to foreign wills filed in the office of the county recorder or the clerk of the district court.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Van Alstine, Senate File No. 121, a bill for an act to repeal section sixteen hundred twenty-eight (1628) of the code relating to nonuser of franchise by corporations.

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

By Senator Taylor, Senate File No. 122, a bill for an act to amend the law as it appears in section two hundred fifty-four-a20 of the supplement to the code, 1913, relating to financial aid for widowed mothers.

Read first and second time and referred to committee on county and township affairs.

## REPORT OF SPECIAL COMMITTEE.

Senator Thompson presented the following report:

MR. PRESIDENT—Your special committee to whom was referred the concurrent resolution relative to removal of the federal shield from the basement floor of the capitol recommend that the same be amended by changing the date in the last line thereof to "July 4th, 1919," and by adding thereto the following:

The custodian will proceed at once to remove the shield and outline thereof, and fill in the space with a temporary cement.

F. E. THOMPSON, *Chairman.*

The report was approved and the amendment was adopted.

The resolution as amended was adopted.

## CORRECTION OF JOURNAL.

The journal of January 31st was taken up, corrected and approved.

## EXECUTIVE SESSION.

President Pro Tem Arney announced the receipt of a communication requiring an executive session.

Senate went into executive session.

Senate arose from executive session and resumed regular session.

On motion of Senator Parker, Senate adjourned until 10:00 a. m. Monday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 3, 1919.

Senate met in regular session, President pro tem Wallace H. Arney presiding.

Prayer was offered by Rev. Arthur Metcalf, pastor of the Congregational church of Webster City.

## MOTION TO RECONSIDER.

I move to reconsider the vote adopting concurrent resolution instructing the custodian to remove the federal shield from the floor of the rotunda in the state house.

CHESTER W. WHITMERE.

## PETITIONS AND MEMORIALS.

Senator Arney presented a petition of the Women's Christian Temperance Union of Iowa relative to the housing bill.

Referred to committee on cities and towns.

Senator Arney presented a petition of Marshall county board of supervisors relative to compensation of supervisors.

Referred to committee on county and township affairs.

Senator Buser presented a petition of the Women's Christian Temperance Union of Iowa relative to the housing bill.

Referred to committee on cities and towns.

## LEAVE OF ABSENCE.

On request of Senator Anderson, leave of absence was granted Senators Van Alstine, Frailey, Kimball and Balkema for the day.

On request of Senator Stephenson, leave of absence was granted Senator Brookhart for the day.

On request of Senator Ratcliff, leave of absence was granted Senator Shane for the day.

On request of Senator Fellows, leave of absence was granted Senator Ball for the day.

On request of Senator Rule, leave of absence was granted Senator Price for the week.



On request of Senator Evans, leave of absence was granted Senator Rainbow for the day.

On request of Senator Taylor, leave of absence was granted Senator Foster until Thursday.

#### INTRODUCTION OF BILLS.

By Senator Foskett, Senate File No. 123, a bill for an act making an appropriation for the purchase of fuel; for the payment of telephone, telegraph, water, light and repairs and for the payment by the executive council of expenses for which no appropriation is made.

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

By Senator Schaffter, Senate File No. 124, a bill for an act to repeal the law as it appears in sections Four hundred seventy-nine (479), Four hundred ninety (490), Four hundred ninety-five (495) and Five hundred ten A (510-a) Supplemental Supplement to the Code, 1915, and section one (1) of Chapter four hundred twenty-six (426) of the Acts of the Thirty-seventh General Assembly, and to enact substitutes in lieu thereof, relating to the duties and compensation of County Officers.

Read first and second time and referred to committee on county and township affairs.

#### THIRD READING OF BILLS.

On motion of Senator Schaffter, Senate File No. 91, a bill for an act to amend Section six hundred eighty-one (681) of the Code, relative to the adoption of ordinances of cities and towns, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Schaffter moved the adoption of the following committee amendment:

By striking out the words "or partial" found in the fourth line thereof.

The amendment was adopted.

Senator Schaffter 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 vote was:

Ayes, 35.

Adams	Holdoegel	Rule
Anderson	Horchem	Schaffter
Arney	Kingland	Scott
Buser	Meredith	Smith
Byington	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Newberry	Taylor
Evans	Parker	Thompson
Fellows	Pitt	White
Foskett	Proudfoot	Whitmore
Hale	Ratcliff	Wilson
Haskell	Reed	

Nays, none.

Absent or not voting, 15.

Balkema	Foster	LeCompte
Ball	Frailey	Price
Brookhart	Greenell	Rainbow
Broxam	Kimball	Shane
Cessna	Kimberly	Van Alstine

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:

House concurrent resolution relative to government ownership of railroads.

W. C. RAMSAY, *Chief Clerk*.

Also:

MR. PRESIDENT—I am directed to 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 relative to meetings of the board of supervisors.

W. C. RAMSAY, *Chief Clerk*.

Also:

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

Senate substitute for House concurrent resolution relative to printing rule books of the Thirty-eighth General Assembly.

W. C. RAMSAY, *Chief Clerk.*

Also:

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

Senate substitute for House concurrent resolution relative to memorial honoring soldiers and sailors of Iowa.

W. C. RAMSAY, *Chief Clerk.*

#### THIRD READING OF BILLS.

On motion of Senator Newberry, Senate File No. 80, a bill for an act to amend Section 3439 of the supplement to the Code, 1913, relating to the limitation of actions on judgments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Newberry 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 vote was:

Ayes, 36.

Adams	Greenell	Ratcliff
Anderson	Hale	Reed
Arney	Haskell	Rule
Broxam	Holdoegel	Schaffter
Buser	Horchem	Scott
Byington	Kingland	Smith
Cessna	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Newberry	Taylor
Evans	Parker	Thompson
Fellows	Pitt	White
Foskett	Proudfoot	Whitmore

Nays, none.

Absent or not voting, 14.

Balkema  
Ball  
Brookhart  
Foster  
Fralley

Kimball  
Kimberly  
LeCompte  
Meredith  
Price

Rainbow  
Shane  
Van Alstine  
Wilson

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

SENATE FILE NO. 110 BY COMMITTEE ON JUDICIARY NO. 2.

(SUBSTITUTE FOR SENATE FILE NO. 4.)

A bill for an act to amend section sixteen hundred forty-one-b (1641-b) of the supplement to the code, 1913, providing for the appraisal of property for which it is proposed to issue stock of a corporation for pecuniary profit.

Read first and second times and passed on file.

#### CORRECTION OF JOURNAL.

The journal of February 1st was taken up, corrected and approved.

#### EXECUTIVE SESSION.

On motion of Senator Foskett, the Senate went into executive session.

On motion and roll call the Senate advised and consented to the appointment of Hon. Arthur C. Savage, of Adair, as commissioner of insurance for the term of four years ending February 1, 1923.

Senate arose from executive session and resumed regular session.

On motion of Senator Foskett Senate adjourned until 10:00 a. m. Tuesday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 4, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. Thomas P. Shaffer, pastor of the M. E. church of Parkersburg.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

House concurrent resolution relative to government ownership of telegraph and telephones.

W. C. RAMSAY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to 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 relative to assessing cost of improvements, repavements, etc.

W. C. RAMSAY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to 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 relative to the establishment of municipal court.

W. C. RAMSAY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to inform your honorable body that the House requests the return for correction of Senate Joint Resolution No. 3, in which the concurrence of the House was asked:

Senate Joint Resolution No. 3, providing for the employment of extra employees for the Thirty-eighth General Assembly.

W. C. RAMSAY, *Chief Clerk.*

#### LEAVE OF ABSENCE.

On request of Senator Anderson, leave of absence was granted Senator Frailey for the day.

On request of Senator Whitmore, leave of absence was granted Senator Kimball for the day.

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

On request of Senator Fellows, leave of absence was granted Senator Ball for the day.

#### INTRODUCTION OF BILLS.

By Senator Taylor, Senate File No. 125, a bill for an act to fix, limit and determine the maximum number of hours per day during which females may be employed or permitted to work, and the terms and conditions and limitations thereof, to provide for the posting of information of the terms of this act and of schedules of time such employees may be required to labor, to fix and determine the duties and powers of the commissioner of the bureau of labor statistics in reference to this act, to prescribe the duties of employers of such labor and to prescribe penalties and punishment for violations of this act.

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

By Senator Ratchiff, Senate File No. 126, a bill for an act to reimburse the firm of Peters and Parker, of Plattsmouth, Nebraska, for loss sustained by said firm, owing to war conditions, in the construction of kitchen and dining room building, at the Institution for Feeble Minded Children, at Glenwood, Iowa, and to make an appropriation therefor.

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

By Senator Smith, Senate File No. 127, a bill for an act providing for a transcript of any conveyance executed by any executor, administrator, guardian or trustee, which has been recorded in

the office of the clerk of the District or Circuit Courts of the State of Iowa, and for filing and recording same in the office of the county recorder.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Buser, Senate File No. 128, a bill for an act to amend chapter five (5) of title twenty-one (21) to the code, relating to disputed boundaries and the admissibility of evidence to establish the same.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Buser, Senate File No. 129, a bill for an act providing the time within which a regularly established public road must be opened by the township board of trustees.

Read first and second time and referred to committee on county and township affairs.

By Senator Buser, Senate File No. 130, a bill for an act giving authority to county boards of supervisors to settle controversies between township boards of trustees as to the division of boundary public roads for the purpose of working same; giving to county boards of supervisors authority to compel township superintendents of township roads under certain conditions to work certain pieces of public road.

Read first and second time and referred to committee on county and township affairs.

By Senator Brookhart, Senate File No. 131, a bill for an act to repeal section one thousand six hundred forty-one-r three (1641-r3) of the Supplemental Supplement to the code, 1915, and enacting a substitute therefor, amending section one thousand six hundred forty-one-r eleven (1641-r11) of the Supplemental Supplement to the code, 1915, and amending section one thousand six hundred forty-one-r thirteen (1641-r13) of the Supplemental Supplement to the code, 1915, relating to the filing and recording of articles of incorporation of co-operative associations, the issuing of certificates of incorporation therefor, the issuing of stock therein, the declaring of dividends of such corporations, and providing for notice of incorporating.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Arney, Senate File No. 132, a bill for an act relating to rules of admission to the Iowa Soldiers Home.

Read first and second time and referred to committee on board of control.

By Senator Arney, Senate File No. 133, a bill for an act for the remission of taxes for any institution organized by private parties or under the terms of any will for the care and custody of public charges.

Read first and second time and referred to committee on ways and means.

By Senator Kingland, Senate File No. 134, a bill for an act to regulate the employment of legislative lobby, counsel and agents, to prohibit counsel and agents from attempting to influence members of the general assembly, other than by appearance before committees thereof, to provide for the return of legislative expenses and prescribing penalties and fixing punishment for the violation of the provisions thereof.

Read first and second time and referred to committee on judiciary No. 1.

#### COMMUNICATION FROM THE GOVERNOR.

February 3, 1919.

*To the Honorable, the President of the Senate of the Thirty-eighth General Assembly:*

Sir—Senate Joint Resolution No. 3 was transmitted to the governor by the clerk of the enrolling committee of the Senate on February 1, 1919.

On examining Senate Joint Resolution No. 3, I find that it does not contain the enacting clause.

Article III, General Assembly, Section 1, of the Constitution, provides: "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.'"

Section 24 of Article III of the Constitution provides: "No money shall be drawn from the treasury but in consequence of appropriations made by law."



I assume that no argument is necessary to convince your honorable body that the enacting clause is necessary, and I am therefore returning Senate Joint Resolution No. 3 to you for the necessary correction.

Respectfully submitted,

W. L. HARDING,  
Governor.

#### HOUSE MESSAGES CONSIDERED.

House concurrent resolution on telephones:

*Be It Resolved by the House, the Senate Concurring, that:*

*Whereas*, By action of Postmaster General Burleson, the telephone exchanges and toll lines have been taken from private control, and placed under federal control, and

*Whereas*, The local exchange rates throughout the state of Iowa have been increased from twenty-five to seventy-five per cent, and

*Whereas*, By such increase, the federal government has violated the contract between the citizens of the various cities and towns, and the telephone companies, and, by such action, has nullified and set aside the telephone franchise of the various cities and towns of Iowa, and

*Whereas*, Under said federal control, the toll rates within the state of Iowa have been increased from twenty-five to one hundred per cent, and

*Whereas*, The telephone service, which is being rendered since the assumption of federal control, is much more inefficient than prior to its assumption, and

*Whereas*, The assumption of federal control and federal interference with the telephone lines operating wholly within the state of Iowa is an unwarranted interference with the rights of the citizenship of the state of Iowa, and

*Whereas*, Said measure was not necessary in order to further the interests of the federal government in the prosecution of the war,

*Therefore, be it resolved by the House, the Senate concurring*, That the United States senators and representatives in the United States Congress from Iowa, be hereby and are petitioned to use their best endeavors to secure the passage of an act, which will restore to private ownership and private control, the telephone exchanges and toll lines in the state of Iowa, or to secure from the postmaster general, an order, restoring such telephone exchanges and telephone lines to the original owners and at their original rates.

Passed on file.

House File No. 38, a bill for an act to repeal the law as it appears in section four hundred and twelve (412) of the supplement

to the code, 1913, relative to the meetings of the board of supervisors.

Read first and second time and referred to committee on county and township affairs.

House concurrent resolution on railroads:

*Whereas*, Post-war and reconstruction conditions have brought these United States of America many problems of great import, and perhaps the one of greatest importance is the question of government ownership of the railways of the United States;

*And Whereas*, Our president, in his address to congress on December 2, 1918, said: "The question which causes me the greatest concern is the question of the policy to be adopted towards the railroads. I frankly turn to your counsel upon it;" and after making other statements on this subject, further says, "Let me say at once that I have no answer ready. The only thing that is perfectly clear to me is that it is not fair either to the public or to the owners of the railroads to leave the question unanswered and that it will presently become my duty to relinquish control of the roads, even before the expiration of the statutory period, unless there shall appear some clear prospect in the meantime of a legislative solution. Their release would at least produce one element of its solution, viz, certainty and a quick stimulation of private initiative";

*And Whereas*, Our president has turned to Congress for counsel on this momentous subject, in his keen sense of justice endeavoring to deal fairly with the owners of the railroads and protectively to the public welfare;

*And Whereas*, We feel that the congress of the United States will, by being informed of public sentiment, be better able to solve and direct the course of the problem, and recognizing the necessity, as expressed in the president's address, of relinquishing control of the railroads as quickly as possible, and the certainty of conditions that said release of the railroads by the federal government would immediately establish;

*Therefore, Be It Resolved by the House, the Senate concurring*, of the Thirty-eighth General Assembly, that we favor the return of the railroads to their owners as soon as it can be accomplished without confusion or losses;

*Be It Further Resolved*, That we believe and think private ownership under strong government control and regulation, in service, income and disbursement is desirable, and we do not believe federal government ownership of railroads is for the best interest of the people at this time;

*Be It Further Resolved*, That the secretary of the Senate and the chief clerk of the House forward properly authenticated copies of this resolution to each United States senator and member of Congress from Iowa for their consideration.

Passed on file.

House requests return of Senate Joint Resolution No. 3.

On motion of Senator Haskell the request was granted and the resolution was returned to the House.

House File No. 36, a bill for an act to amend section seven hundred ninety-two (792) of the supplement to the code of 1913, referring to assessing cost of improvements, repavement and disposal of waste material.

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

House File No. 54, a bill for an act to amend section six hundred ninety-four-c3, (694-c-3), six hundred ninety-four-c5, (694-c5), and six hundred ninety four-c16 (694-c16), supplemental supplement to the code, 1915, providing the method of submitting the proposition for the establishment of the municipal court, conducting the election, certifying result, appointment and election of judge or judges, clerk and bailiff, and providing the method for filling vacancies in said offices, and defining what shall constitute a vacancy.

Read first and second time.

On motion of Senator Parker, House File No. 54 and Senate File No. 44, companion bills, were referred to judiciary No. 1.

On motion of Senator Wilson, Senate File No. 58 was recalled from judiciary No. 1 and re-referred to committee on educational institutions.

#### COMMUNICATION FROM EXECUTIVE COUNCIL.

February 1, 1919.

*To the Honorable Senate of the State of Iowa:*

In pursuance of your resolution adopted on January 25th, requesting information relative to the expenditures and receipts for the Capitol Grounds Extension, the Executive Council of Iowa has prepared and is submitting the following reply making answer in the order in which the resolution catalogues its requests for information:

- (1) The amount actually expended for the purchase of grounds and leaseholds under the Capitol Extension Act.....\$1,172,606.10
- (2) The amount actually expended for the improvement of the Capitol Extension Grounds .....\$461,179.82

There is herewith attached and made a part of this report a summary sheet showing the total amounts expended for the various improvements and general distribution of such costs. There is on file in the Executive Council office a detailed and itemized record of these expenditures with

pay rolls and complete cost accounting of the amounts set out and distributed in this report.

- (3) The amount of cash on hand in the Capitol Extension Fund in the hands of the Treasurer of State on January 1, 1919.....\$52,471.74
- (4) The amounts received separately for rents, sales and all other sources other than the tax levy are as follows: Rents, \$61,924.35; the sale of salvage property, \$85,755.67.....\$147,680.02
- (5) The amount expended for agents' commissions is.....\$9,346.50
- (6) The following tracts of ground within the Capitol Grounds Extension as authorized to be purchased under Chapter 14, Acts of the Thirty-fifth General Assembly, include the following tracts which have not been purchased:

The church site on the north part of Lots 11 and 12 in Block 3 of H. Lyon's Addition, with the Buildings thereon, value fixed by owners .....\$45,000.00

Lots 1, 2 and 3 on the northeast corner of the block immediately west of the preceding description, being the residence property of Mr. Hanson, estimated value.....\$20,000.00

The south fifty feet of lots 10, 11 and 12, except the east six feet of said lot 10, all in block 5, H. Lyon's Addition to the town of Des Moines, now in and forming a part of the city of Des Moines, Iowa; owner's value .....\$6,500.00

All of lot 8 in block 23 of the Town of Des Moines, now a part of the city of Des Moines, Iowa, and all of that part of the following lots, to-wit: Lots 3, 4, 5, 6 and 7, in block 23 of the Town of Des Moines, now a part of the City of Des Moines, Iowa; estimated value.....\$3,000.00

The latter two properties have been ordered condemned by the Executive Council and the Attorney General has been requested to institute proceedings under the provisions of the Capitol Extension Act.

- (7) There is no ground contracted for for which the purchase price has not been paid.
- (8) The amount of interest bearing warrants or certificates outstanding authorized under the provisions of Chapter 14, Acts of the Thirty-fifth General Assembly, is .....\$130,000.00
- (9) There is no outstanding indebtedness against the state in connection with the Capitol Grounds Extension with the exception of obligations on certain contracts yet uncompleted. The following amounts are due on contracts which are in the course of construction:

F. F. Balzer, grading.....	\$1,949.66
Arthur H. Neumann & Company, concrete sidewalks.....	5.00
Thos. Carey & Sons, paving and macadam walks.....	333.83
A. Lindblom, curbing.....	205.50
Freeman-Sweet Company, concrete light standards.....	1,037.20



- (10) All streets have been vacated by the City of Des Moines.
- (11) There is to the credit of the Capitol Grounds Improvement Fund .....
- |            |             |
|------------|-------------|
| Fund ..... | \$52,471.74 |
|------------|-------------|
- (12) There has been realized from the sale of real estate in Governor Square in cash.....
- |                     |             |
|---------------------|-------------|
| Square in cash..... | \$44,594.02 |
|---------------------|-------------|
- (13) There has been contracted to be sold of the lots in Governor Square 28 lots and one other lot has lease with option to purchase.
- There is a gross amount unpaid on such contracts of....\$35,150.66
- These contracts extend over a period of several years.
- (14) Two lots in Governor Square have not been sold, though one has been leased with purchase option.
- (15) The amount actually received from the special tax for Capitol Extension to January 1, 1919, was:
- |   |                |
|---|----------------|
| February, 1914-July, 1914.....              | \$ 262,791.82  |
| July, 1914-July, 1915.....                  | 467,946.68     |
| July, 1915-July, 1916.....                  | 302,298.04     |
| July, 1916-July, 1917.....                  | 167,072.41     |
| July, 1917-July, 1918.....                  | 170,238.63     |
| July, 1918-January, 1919.....               | 71,733.91      |
| Grand total millage from the beginning..... | \$1,442,081.49 |
- (16) There is submitted with this report as per your request made in your resolution, 200 copies printed plat showing the Capitol Extension Grounds.

In addition to the above facts the Executive Council desires to call the attention of the Senate to the fact that under the direction of this Council the task was undertaken of bringing the record down from the time that the Capitol Extension was authorized by the Thirty-fifth General Assembly, and there is now nearing completion in the office of the Secretary of the Council such a record. This record will include all transactions involving the development of the Capitol Extension Zone—copies of deeds, contracts, plats, Council proceedings and the distribution of accounts, making as complete a history of the work as is possible, compiled in a single volume.

Respectfully submitted upon this first day of February, 1919.

W. L. HARDING,  
W. S. ALLEN,  
FRANK S. SHAW,  
E. H. HOYT,

*Executive Council of Iowa.*

## 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 amended and passed the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution No. 3, a bill for an act relative to additional help.

W. C. RAMSAY, *Chief Clerk.*

Also:

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 memorial service in commemoration of the life and services of Theodore Roosevelt.

W. C. RAMSAY, *Chief Clerk.*

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled:

Senate Joint Resolution No. 5, a joint resolution fixing the compensation of officers and employees of the Thirty-eighth General Assembly.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

Senator Schaffter, 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 Joint Resolution No. 5, a joint resolution fixing the compensation of officers and employees of the Thirty-eighth General Assembly.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

## REPORTS OF COMMITTEES.

Senator Wilson, from the committee on judiciary No. 1, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 1 to whom was referred Senate File No. 69, a bill for an act making it unlawful to display, carry, raise or follow any red flag or other insignia with intent to defy, resist or hinder regularly established authority of the state or United States., etc., beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 1, a bill for an act to amend Section four hundred forty-one supplement to the code, 1913, relating to official newspapers printed in a foreign language, 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.

By inserting the figures (441) in line two thereof the words "Supplement to the code, 1913," and amend the title by inserting the words "Supplement to the code, 1913" after the figures (441) in the first line thereof.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Senator Coburn, from the committee on agriculture, submitted the following report:

MR. PRESIDENT—Your committee on agriculture, to whom was referred Senate File No. 70, a bill for an act amending Section 2575-a48 of the Supplement to the Code 1913, relating to the eradication of harmful barberry, or other plants, that act as alternate hosts or carriers of dangerous insect, pest, or plant disease, beg leave to report they have had the same under consideration and recommend the same do pass.

GEORGE F. COBURN, *Chairman.*

Ordered passed on file.

Also:

Your committee on agriculture, to whom was referred House File No. 73, a bill for an act amending Section 2575-a48 of the Supplement to the Code 1913, relating to the eradication of harmful barberry or other plants, beg leave to report they have had the same under consideration and recommend the same do pass.

GEORGE F. COBURN, *Chairman.*

Ordered passed on file.



Senator Proudfoot, from the committee on judiciary No. 2, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 2, to whom was referred House File No. 50, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Sac City, Sac County, Iowa, 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.

By inserting in Section 4, following the word "act" the word "shall."

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred House File No. 13, a bill for an act to legalize a special election in Huron Township, Des Moines County, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Senator Stoddard, 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. 82, a bill for an act to make uniform the law of sales of goods, and repealing all acts or parts of acts inconsistent herewith and providing that this act may be cited as the Uniform Sales Act, beg leave to report they have had the same under consideration and recommend the same do pass.

B. M. STODDARD, *Chairman.*

Ordered passed on file.

On motion of Senator Haskell, rule 33 was suspended for the day.

#### HOUSE MESSAGES CONSIDERED.

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. 3, a bill for an act relative to additional help.

W. C. RAMSAY, *Chief Clerk.*

Passed on file.

Also:

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 memorial service in commemoration of the life and services of Theodore Roosevelt.

W. C. RAMSAY, *Chief Clerk*.

Passed on file.

SENATE JOINT RESOLUTION NO. 5 SIGNED.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate Joint Resolution No. 5.

THIRD READING OF BILLS.

On motion of Senator Reed, Senate File No. 98, a bill for an act to legalize certain warrants of the City of Oelwein, 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 Reed 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 vote was:

Ayes, 43.

Adams	Haskell	Ratcliff
Anderson	Holdoegel	Reed
Arney	Horchem	Rule
Balkema	Kimberly	Schaffter
Brookhart	Kingland	Scott
Broxam	LeCompte	Shane
Buser	Meredith	Stephenson
Cessna	Mitchell	Stoddard
Coburn	Nelson	Taylor
Edwards	Newberry	Thompson
Evans	Parker	Van Alstine
Fellows	Pitt	White
Foskett	Proudfoot	Whitmore
Greenell	Rainbow	Wilson
Hale		

Nays, none.

Absent or not voting, 7.

Ball	Frailey	Price
Byington	Kimball	Smith
Poster		

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 Van Alstine, Senate File No. 116, substitute for Senate File No. 22, a bill for an act to amend section five thousand three hundred sixty five (5365) of the Code and to determine the number of peremptory challenges and of selecting the petit jury from the panel in criminal cases, with report of committee recommending the adoption and passage of the substitute bill, was taken up, considered, and the report of the committee adopted.

Senator Van Alstine 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 vote was:

Ayes, 42.

Adams	Haskell	Reed
Anderson	Holdoegel	Rule
Arney	Horchem	Schaffter
Balkema	Kimberly	Scott
Brookhart	Kingland	Shane
Buser	LeCompte	Smith
Cessna	Meredith	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Nelson	Taylor
Evans	Newberry	Thompson
Fellows	Parker	Van Alstine
Foskett	Pitt	White
Greenell	Proudfoot	Whitmore
Hale	Ratcliff	Wilson

Nays, none.

Absent or not voting, 8.

Ball	Foster	Price
Broxam	Fralley	Rainbow
Byington	Kimball	

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 Rule, Senate Joint Resolution No. 3, joint resolution relating to the selection of additional employees of the Thirty-eighth General Assembly of the state of Iowa, fixing their compensation and defining their duties, was taken up for consideration.

Senator Rule moved that the vote by which Senate Joint Resolution No. 3 passed the Senate be reconsidered, which motion prevailed.

Senator Rule moved that the vote by which Joint Resolution No. 3 passed to its third reading be reconsidered, which motion prevailed.

Senator Rule moved that the Senate concur in the following House amendment:

"Amend Senate Joint Resolution No. 3 by inserting after the title the following: *'Be It Enacted by the General Assembly of the State of Iowa.'*"

On the question, "Shall the Senate concur in the House amendment?" the vote was:

Ayes, 42.

Adams	Haskell	Ratcliff
Anderson	Holdoegel	Reed
Arney	Horchem	Rule
Balkema	Kimberly	Schaffter
Brookhart	Kingland	Scott
Broxam	LeCompte	Shane
Cessna	Meredith	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Nelson	Taylor
Evans	Newberry	Thompson
Fellows	Parker	Van Alstine
Foskett	Pitt	White
Greenell	Proudfoot	Whitmore
Hale	Rainbow	Wilson

Nays, none.

Absent or not voting, 8.

Ball	Foster	Price
Buser	Fralley	Smith
Byington	Kimball	

So the House amendment was declared to have been concurred in.

Senator Rule 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.

On the question, "Shall the joint resolution be adopted?" the vote was:

Ayes, 42.

Adams	Haskell	Ratcliff
Anderson	Holdoegel	Reed
Arney	Horchem	Rule
Balkema	Kimberly	Schaffter
Brookhart	Kingland	Scott
Broxam	LeCompte	Shane
Cessna	Meredith	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Nelson	Taylor
Evans	Newberry	Thompson
Fellows	Parker	Van Alstine
Foskett	Pitt	White
Greenell	Proudfoot	Whitmore
Hale	Rainbow	Wilson

Nays, none.

Absent or not voting, 8.

Ball	Foster	Price
Buser	Fralley	Smith
Byington	Kimball	

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

On motion of Senator Newberry, House File No. 73, a bill for an act amending Section 2575-a48 of the Supplement to the Code, 1913, relating to eradication of harmful barberry or other plants, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Newberry 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 vote was:

Ayes, 44.

Adams	Haskell	Reed
Anderson	Holdoegel	Rule
Arney	Horchem	Schaffter
Balkema	Kimberly	Scott
Ball	Kingland	Shane
Broxam	LeCompte	Smith
Buser	Meredith	Stephenson
Byington	Mitchell	Stoddard
Coburn	Nelson	Taylor
Edwards	Newberry	Thompson
Evans	Parker	Van Alstine
Fellows	Pitt	White
Foskett	Proudfoot	Whitmore
Greenell	Rainbow	Wilson
Hale	Ratcliff	

Nays, none.

Absent or not voting, 6.

Brookhart  
Cessna

Foster  
Fralley

Kimball  
Price

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

SENATE FILE NO. 70 WITHDRAWN.

By unanimous consent Senator Newberry withdrew Senate File No. 70 from further consideration.

ROOSEVELT MEMORIAL RESOLUTION.

Senator Parker asked unanimous consent to consider at this time the following House concurrent resolution relative to Roosevelt memorial:

*Be It Resolved by the House, the Senate concurring:*

That a joint convention of the two houses of the Thirty-eighth General Assembly be held February 10, 1919, at two thirty p. m., in commemoration of the life and character of the late Theodore Roosevelt.

On motion of Senator Parker the Senate concurred in the resolution.

REPORT OF ROOSEVELT MEMORIAL COMMITTEE.

Des Moines, Iowa, February 4, 1919.

MR. PRESIDENT—Your joint committee on the preparation of the program and the designation of a time at which a memorial service shall be held in commemoration of the life and character of Theodore Roosevelt, beg leave to submit the following report:

The said memorial services will be held in the House chamber at two-thirty o'clock p. m. on Monday, February 10th. Lieutenant-Governor Ernest R. Moore will preside.

We further report that the committee has agreed upon Hon. Nathan E. Kendall, of Albia, Iowa, as speaker at this occasion.

ADDISON M. PARKER,  
*Chairman of Senate Committee.*

A. O. HAUGE,  
*Chairman of House Committee.*

On motion of Senator Parker, the report of the committee was adopted.

**CORRECTION OF JOURNAL.**

The journal of February 3d was taken up, corrected and approved.

On motion of Senator Wilson Senate adjourned until 10:00 a. m. Wednesday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 5, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. F. C. Edwards, pastor of the First Methodist church of Ames.

## PETITIONS AND MEMORIALS.

Senator Schaffter presented a petition of citizens of Hardin county relative to a four-year term for county officers.

Referred to committee on county and township affairs.

Senator Schaffter presented a petition of citizens of Wright county relative to a four-year term for county officers.

Referred to committee on county and township affairs.

Senator Smith presented a remonstrance of citizens of Adair county relative to repeal of cigarette law.

Referred to committee on public health.

Senator Buser presented a petition of citizens of the Iowa Federation of Women's Clubs relative to the housing law.

Referred to committee on cities and towns.

Senator Kingland presented a petition of citizens of Mitchell county relative to closed season law.

Referred to committee on fish and game.

Senator Van Alstine presented a petition from board of supervisors of Buena Vista county relative to compensation of county supervisors.

Referred to committee on county and township affairs.



Senator Haskell presented a petition of citizens of Linn county relative to the housing law.

Referred to committee on cities and towns.

Senator Holdoegel presented a remonstrance of members of the First Congregational church, Fort Dodge, against repeal of the present cigarette laws.

Referred to committee on public health.

Senator Broxam presented a petition of the Iowa Federation of Women's Clubs relative to the housing law.

Referred to committee on cities and towns.

Senator Ratcliff presented a petition of citizens of Mills county relative to the cigarette law.

Referred to committee on public health.

Senator Kingland presented a petition of citizens of Mitchell county relative to control of tuberculosis in live stock.

Referred to committee on agriculture.

Senator Schaffter presented a petition from Eldora, Iowa, relative to method of taking depositions on commission.

Referred to committee on judiciary No. 2.

#### LEAVE OF ABSENCE.

On request of Senator Anderson, leave of absence was granted Senator Frailey for the day.

On request of Senator Wilson, leave of absence was granted Senator Evans for the day.

#### 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. 77, a bill for an act relative to pensions for retired firemen.

W. C. RAMSAY, *Chief Clerk.*

#### INTRODUCTION OF BILLS.

By Senator Kingland, Senate File No. 135, 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 the agent or employee of said party or one in privity with such party, or a person for whose benefit an action or proceeding is prosecuted or defended, or 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 No. 1.

By Senator Ratcliff, Senate File No. 136, a bill for an act to amend Section Five Thousand Two Hundred Fifty Six (5256) Code of Iowa, relating to compensation of Clerk of Grand Jury.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Stephenson, Senate File No. 137, a bill for an act to appropriate money to pay the salaries of certain persons who acted as judges and clerks of election in the year 1918 at the various military camps throughout the United States in taking the vote of persons in the military service, and to meet extraordinary expenses of the various commissioners who were appointed to take such vote, including a per diem for certain commissioners who made a survey at certain camps preliminary to the election.

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

By Senator Stephenson, Senate File No. 138, a bill for an act making an appropriation to meet deficiency in fund appropriated

under Chapter two hundred sixty-five (265), Acts of the Thirty-seventh General Assembly.

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

By Senator Balkema, Senate File No. 139, a bill for an act to repeal sections four hundred forty-four (444) and four hundred forty-five (445) of the Code, 1897, relating to stock running at large:

Also to repeal section two thousand three hundred fourteen (2314) of the Code, 1897, relating to stock running at large, to enact a substitute for said latter section and to provide a penalty for the violation of such substituted section.

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

By Senator Whitmore, Senate File No. 140, a bill for an act to amend Chapter 5, Title V, Supplement to the Code, 1913, relating to the purchase and construction of water works and extending the scope thereof to electric light and power, heating, and gas plants.

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

By Senator Whitmore, Senate File No. 141, a bill for an act to repeal section one thousand fifty-six-a-fifty-nine (1056-a59), Supplement to the Code, 1913, relating to tax levy for fire fighting equipment.

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

By Senator Foskett, Senate File No. 142, a bill for an act to amend chapter four (4), title five (5) of the Code, relating to the powers of cities and towns; and providing for the appointment of waterworks trustees in cities and towns owning their own waterworks; and providing for the duties of such trustees.

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

By Senator Foskett, Senate Joint Resolution No. 6, making available part of funds appropriated under Chapter Two Hundred Seven (207), Acts of the Thirty-seventh General Assembly to meet deficiency in fund set apart in Senate Joint Resolution Number Thirteen (13), of the Thirty-Seventh General Assembly and to maintain state-federal employment bureau.

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

#### HOUSE MESSAGE CONSIDERED.

House File No. 77, a bill for an act to amend section nine hundred and thirty-two-e (932-e) of the supplement to the code of 1913, relating to pensions for disabled and retired firemen.

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

#### JOINT RESOLUTION SENT TO GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have, on February 4, 1919, sent to the governor for his approval, Senate Joint Resolution No. 5, a joint resolution fixing the compensation of officers and employees of the Thirty-eighth General Assembly.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled, Senate Joint Resolution No. 3, joint resolution relating to the selection of additional employees of the Thirty-eighth General Assembly of the state of Iowa, fixing their compensation and defining their duties.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 Joint Resolution No. 3, joint resolution relating to the selection of additional employees of the Thirty-eighth General Assembly of the state of Iowa, fixing their compensation and defining their duties.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### REPORTS OF COMMITTEES.

Senator Parker, 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. 14, a bill for an act to amend Section 879-e, Supplement to the Code, 1913, relating to powers of River Front Improvement Commission, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Senator LeCompte, from the committee on printing, submitted the following report:

MR. PRESIDENT—Your committee on printing, to whom was referred Senate File No. 13, a bill for an act to repeal Section 5, Chapter 5, Acts 37th General Assembly relating to publication of the session laws, beg leave to report they have had the same under consideration and recommend the same do pass.

K. M. Lecompte, *Chairman.*

Ordered passed on file.

#### RESOLUTION SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate Joint Resolution No. 3.

#### THIRD READING OF BILLS.

On motion of Senator Kimball, Senate File No. 47, a bill for an act to amend section 2900-a-6 of the Supplement to the Code, 1913, and relating to compensation for surveyors surveying aban-

doned river channels, sand bars or islands, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Kimball 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 vote was:

Ayes, 40.

Anderson	Holdoegel	Ratcliff
Balkema	Horchem	Reed
Ball	Kimball	Rule
Brookhart	Kimberly	Schaffter
Broxam	Kingland	Scott
Buser	LeCompte	Smith
Byington	Mitchell	Stoddard
Coburn	Nelson	Taylor
Edwards	Newberry	Thompson
Fellows	Parker	Van Alstine
Foskett	Pitt	White
Greenell	Proudfoot	Whitmore
Hale	Rainbow	Wilson
Haskell		

Nays, none.

Absent or not voting, 10.

Adams	Foster	Price
Arney	Fralley	Smith
Cessna	Meredith	Stephenson
Evans		

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Kimball asked unanimous consent to strike out the words "of the" in the title, which was granted, and the title as amended, was agreed to.

On motion of Senator Anderson, House File No. 50, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the City of Sac City, Sac County, Iowa, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by inserting in Section 4, following the word "Act" the word "shall."

The bill was read for information.

Senator Anderson 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 vote was:

Ayes, 42.

Anderson	Haskell	Rainbow
Arney	Holdoegel	Ratcliff
Balkema	Horchem	Reed
Ball	Kimball	Rule
Brookhart	Kimberly	Schaffter
Broxam	Kingland	Scott
Buser	LeCompte	Shane
Byington	Meredith	Smith
Coburn	Mitchell	Stephenson
Edwards	Nelson	Stoddard
Fellows	Newberry	Thompson
Foskett	Parker	White
Greenell	Pitt	Whitmore
Hale	Proudfoot	Wilson

Nays, none.

Absent or not voting, 8.

Adams	Foster	Taylor
Cassna	Fralley	Van Alstine
Evans,	Price	

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 Thompson, House File No. 13, a bill for an act to legalize a special election held at the Hawkeye school house in Huron township, Des Moines county, Iowa, on the 19th day of June, 1918 to vote upon the proposition of organizing a consolidated independent school district, to be composed of parts of Huron and Yellow Springs townships in Des Moines county, Iowa, and to legalize the said consolidated independent school district and to ratify and confirm the election of officers and the organization of the board of directors of said consolidated independent school district and to ratify and confirm all the acts of

the said board so elected and organized, and to legalize the special election held at said school house on the 19th day of June 1918 for the purpose of authorizing the issue of bonds of said district in the sum of \$55,000.00 for the purchase of a site for a school house and for the erection and equipping thereon of a school house and teacher's home, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 44.

Anderson	Haskell	Ratcliff
Arney	Holdoegel	Reed
Baikema	Horchem	Rule
Ball	Kimball	Schaffter
Brookhart	Kimberly	Scott
Broxam	Kingland	Shane
Buser	LeCompte	Smith
Byington	Meredith	Stephenson
Cessna	Mitchell	Stoddard
Coburn	Nelson	Thompson
Edwards	Newberry	Van Alstine
Fellows	Parker	White
Foskett	Pitt	Whitmore
Greenell	Proudfoot	Wilson
Hale	Rainbow	

Nays, none.

Absent or not voting, 6.

Adams	Foster	Price
Evans	Fralley	Taylor

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. 1, a bill for an act to amend Section four hundred forty-one supplement to the Code, 1913, relating to official newspapers printed in a foreign language, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:



Amend by inserting after the figures (441) in line two thereof the words "Supplement to the Code, 1913," and amend the title by inserting the words "Supplement to the Code, 1913," after the figures (441) in the first line thereof.

Senator Smith offered the following amendment:

Amend Section one by adding thereto the following:

That the period (.) in line thirty-one (31) in said section, four forty-one (441), be stricken and a comma substituted therefor and that the following words be added: "provided that newspapers selected for such official publication shall, in all instances, be printed in the English language."

The amendment was adopted.

Senator Smith 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 vote was:

Ayes, 43.

Adams	Haskell	Ratcliff
Anderson	Holdoegel	Reed
Arney	Horchem	Rule
Balkema	Kimball	Schaffter
Ball	Kingland	Scott
Brookhart	LeCompte	Shane
Broxam	Meredith	Smith
Buser	Mitchell	Stephenson
Byington	Nelson	Stoddard
Cassna	Newberry	Taylor
Coburn	Parker	Thompson
Edwards	Pitt	White
Fellows	Proudfoot	Whitmore
Foskett	Rainbow	Wilson
Hale		

Nays, none.

Absent or not voting, 7.

Evans	Greenell	Price
Foster	Kimberly	Van Alstine
Fraley		

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. 69, a bill for an act making it unlawful to display, carry, raise or follow any red

flag or other insignia with intent to defy, resist or hinder regularly established authority of the state or United States, or with intent to insult or disregard the flag of the United States, or with intent to induce such conduct, and providing penalties for violation, including penalty when armed with a dangerous weapon, with report of committee recommending passage, was taken up, considered, and the report of the committee 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 vote was:

Ayes, 45.

Adams	Haskell	Ratcliff
Anderson	Holdoegel	Reed
Arney	Horchem	Rule
Balkema	Kimball	Schaffter
Ball	Kimberly	Scott
Brookhart	Kingland	Shane
Broxam	LeCompte	Smith
Buser	Meredith	Stephenson
Byington	Mitchell	Stoddard
Cessna	Nelson	Taylor
Coburn	Newberry	Thompson
Edwards	Parker	Van Alstine
Fellows	Pitt	White
Foskett	Proudfoot	Whitmore
Hale	Rainbow	Wilson

Nays, none.

Absent or not voting, 5.

Evans	Frailey	Price
Foster	Greenell	

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

#### SPECIAL ORDER.

On motion of Senator Kimball, Senate Files Nos. 11 and 21 were made special order for Thursday at 11:00 o'clock.

On motion of Senator White, rule 33 was suspended for the day.

## JOINT RESOLUTION SIGNED BY GOVERNOR.

A communication was received from the governor, stating that he had signed Senate Joint Resolution No. 5.

## SENATE FILE NO. 22 WITHDRAWN.

By unanimous consent, Senator Van Alstine withdrew Senate File No. 22 from further consideration.

## RESOLUTION ON TELEPHONES CONSIDERED.

Senator Whitmore called up for consideration the House concurrent resolution relative to telephones, found on page 281 of the Senate journal.

Senator Parker offered the following amendment:

"I move that the last two paragraphs of the preamble be struck out."

The amendment was adopted.

Senator Whitmore moved that the Senate concur in the resolution.

The motion was lost and the Senate refused to concur.

## CORRECTION OF JOURNAL.

The journal of February 4th was corrected and approved.

On motion of Senator Anderson, the Senate adjourned until 10:00 a. m. Thursday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER.  
DES MOINES, IOWA, FEBRUARY 6, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. J. E. Lombard, pastor of the Highland Park Methodist church of Des Moines.

## PETITIONS AND MEMORIALS.

Senator Kingland presented a remonstrance of citizens of Henry county against paved roads.

Referred to committee on highways.

Senator Foster presented a letter from Rev. Corkhill, pastor of the M. E. church, Menlo, opposing repeal of anti-cigarette law.

Referred to committee on public health.

Senator Foster presented a letter from the superintendent of schools, Menlo, opposing repeal of anti-cigarette law.

Referred to committee on public health.

Senator Foster presented a remonstrance of citizens of Menlo and vicinity against repeal of cigarette law and urging amendment of same so as to apply the injunction and abatement law to it.

Referred to committee on public health.

Senator Proudfoot presented a petition of citizens of Warren county relative to election of county superintendents of public instruction.

Referred to committee on schools.

Senator Schaffter presented a remonstrance of the Eldora Community Club relative to numbering the main highways.

Referred to committee on highways.

Senator Greenell presented a petition from the Clinton Commercial Club favoring permanent paved roads, and the issue of long-term bonds to pave the inter-county road system of Iowa.

Referred to committee on highways.

Senator Scott presented a petition of citizens of Henry county relative to better highways, uniformity of textbooks and protesting against increase in the salaries of state or county officers.

Referred to committee on county and township affairs.

Senator Scott presented a letter from the county attorney of Fayette county relative to compensation of shorthand reporters.

Referred to committee on county and township affairs.

Senator Broxam presented a remonstrance of citizens of Jackson county relative to repeal of anti-cigarette law.

Referred to committee on public health.

Senator Adams presented a petition of Dickinson county supervisors relative to compensation of county supervisors.

Referred to committee on county and township affairs.

Senator Schaffter presented a petition of citizens of Henry county relative to better roads.

Referred to committee on highways.

Senator Ball presented a petition of citizens of Henry county relative to better roads.

Referred to committee on highways.

Senator Haskell presented a petition of citizens of Henry county relative to better roads.

Referred to committee on highways.

Senator **Buser** presented a petition of citizens of Henry county relative to better roads.

Referred to committee on highways.

Senator **Schaffter** presented a petition of citizens of Hamilton county relative to four-year term for county officers.

Referred to committee on county and township affairs.

#### LEAVE OF ABSENCE.

On request of Senator **Whitmore**, leave of absence was granted Senator **Frailey** for the day.

On request of Senator **Wilson**, leave of absence was granted Senator **Evans** for the day.

Senator **Holdoegel** moved that rule 33 be suspended for the day.

Motion lost.

#### INTRODUCTION OF BILLS.

By Senator **Ball**, Senate File No. 143, a bill for an act to amend chapter ninety-nine (99) Acts of the thirty-seventh General Assembly of Iowa relating to removal of Allison Monument from its present location on the State House grounds.

Read first and second time and referred to committee on public lands.

By Senator **Foster**, Senate File No. 144, a bill for an act to amend the law as it appears in section twenty-seven hundred twenty-seven-a1 of the supplement to the code, 1913, and section twenty-seven hundred twenty-seven-a3, supplemental supplement to the code, 1915, relating to the compensation of members of the board of control of state institutions and to the compensation of the secretary of the board of control.

Read first and second time and referred to committee on departmental affairs.

By Senator LeCompte, Senate File No. 145, a bill for an act to amend the law as it appears in section fifteen hundred sixty-five "A" (1565-A) supplement to the Code, 1913, relating to the cutting of weeds.

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

By Senator Greenell, Senate File No. 146, a bill for an act to amend sections five hundred fifteen (515), five hundred sixteen (516) and five hundred thirty-one (531) of the Code, 1897, and relating to the duties of coroner and providing for the certification of bills of expense incurred in performing the duties of coroner and providing for the expense of additional services of coroner, coroner's jury, witnesses, coroner's stenographer and constable and making it illegal for any person, other than the coroner to perform his duties and providing for allowing the coroner to issue a reward for the recovery of the bodies of persons drowned.

Read first and second time and referred to committee on county and township affairs.

By Senator Greenell, Senate File No. 147, a bill for an act making an appropriation to indemnify Welker Given for an injury by accident as a state employee in the capitol park during the work in extension of the grounds.

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

By Senator Kimball, Senate File No. 148, a bill for an act for the prevention of blindness from ophthalmia neonatorum and relating to the report of appearances of infection of the eyes and requiring the use of an antiseptic by physicians, midwives and nurses, and for the furnishing by the state of the proper antiseptic.

Read first and second time and referred to committee on public health.

By Senator Ratcliff, Senate File No. 149, a bill for an act to provide that the County Attorney shall be ex-officio County

Coroner, and that he may delegate certain duties to the Sheriff and County Clerk, and to repeal all acts and parts of acts in conflict herewith.

Read first and second time and referred to committee on judiciary No. 2.

By Senator White, Senate File No. 150, a bill for an act to amend the law as it appears in section thirteen hundred twenty-eight (1328) supplement to the code, 1913, relating to the tax of telephone companies.

Read first and second time and referred to committee on ways and means.

By Senator Whitmore, Senate File No. 151, a bill for an act to amend section one thousand fifty-six-a-twenty-five (1056-a25), Supplement to the Code, 1913, relating to the council in cities operating under the commission plan of government assuming the powers of the board of water works trustees.

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

By Senator Whitmore, Senate File No. 152, a bill for an act to repeal section twenty-four hundred nineteen (2419) of the Code, and enact a substitute therefor, relating to the transportation of intoxicating liquors, providing for the detention of persons and vehicles found illegally transporting such liquors, and making such vehicles a nuisance, and providing for the sale of such vehicles used in the illegal transportation of such liquors, and for payment of fine and costs out of the proceeds of such sale, and for the forfeiture of such liquor, and making the transportation of intoxicating liquors by persons in a vehicle owned by another or that is mortgaged a felony and providing punishment therefor, and providing for the issuance of a search warrant to search vehicles believed to be used in transporting liquor in violation of law and providing for procedure thereunder.

Read first and second time and referred to committee on suppression of intemperance.



By Senator Holdoegel, Senate File No. 153, a bill for an act to amend section seventeen hundred fifty-nine-h (1759-h) of the supplement to the code, 1913, relating to the fees and assessments of mutual hailstorm insurance associations and the collection thereof.

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

By Senator Holdoegel, Senate File No. 154, a bill for an act to provide training in teaching service for the Iowa State Teachers College.

Read first and second time and referred to committee on educational institutions.

By Senator Kimball, Senate File No. 155, a bill for an act to repeal the law as it appears in sections four hundred ten, (410), four hundred eleven, (411), and four hundred sixteen, (416), supplement to the code, 1913, and in sections four hundred seventeen, (417), and four hundred eighteen, (418), of the code; and to enact a substitute therefor relating to the elections, duties and terms of office of county supervisors.

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

#### JOINT RESOLUTION SENT TO GOVERNOR.

Senator Schaffter from the committee on enrolled bills submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have, on February 5, 1919, sent to the governor for his approval, Senate Joint Resolution No. 3, relating to the selection of additional employees of the Thirty-eighth General Assembly of the state of Iowa, fixing their compensation and defining their duties.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORTS OF COMMITTEES.

Senator Wilson, from the committee on judiciary No. 1, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 1, to whom was referred Joint Resolution No. 4, relating to the reinstatement to their former appointive positions or employment of discharged soldiers and sailors, 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:

By inserting the words "if capable of performing the duties of such position or employment" following the word "shall" in the fourth line; and also by striking out the period following the word "navy" in the last line and inserting in lieu thereof a comma, and adding the following: "provided such request be made within ninety (90) days after such discharge."

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 99, a bill for an act to repeal Section three thousand five hundred thirty-six A (3536 A) Supplement to the Code, 1913, relative to the legalizing of decrees of court and affidavits of publication and enacting a substitute therefor, 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:

By striking out of the seventh (7th) line the words "any employee" and inserting in lieu thereof the following: "the publisher, manager, cashier or foreman" and by substituting the word "of" in place of the word "in" in the tenth line thereof, and by striking out the letter "A" twice in the twelfth line thereof and by substituting the word "and" for the word "as" in the fourteenth line thereof.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 40, a bill for an act to amend Section Four hundred eighty-nine-d (489-d) Supplement to Code of Iowa, 1913, relating to The Drawing of Warrants To Pay Claims for Injuries to Domestic Animals, and Providing when said Warrants shall be drawn, 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:

By changing the period at the end of Section One to a comma and adding to said Section One the following: "and by striking from the sixth line of said Section Four hundred fifty eight-d (458-d) the words "each of said months" and inserting in lieu thereof the words "said month".

J. M. WILSON, *Chairman.*

Ordered passed on file.

Senator Meredith, from the committee on public lands, submitted the following report:

MR. PRESIDENT—Your committee on public lands, to whom was referred Senate File No. 32, a bill for an act authorizing the Executive Council to sell certain lands belonging to the state, and purchase other lands, 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:

Amend by striking out the word "Custodial" as it appears in the preamble. Amend section two by striking out the word "other" in line two; also, by striking out all after the word "land" in line two and inserting in lieu thereof the following: "for the Training School for Boys." Also by adding the following section: "Sec. 4. This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in The Des Moines Register, and The Des Moines Capital, newspapers published in Des Moines, Iowa."

DAVID MEREDITH, *Chairman.*

Ordered passed on file.

Senator Broxam, from the committee on pharmacy, submitted the following report:

MR. PRESIDENT—Your committee on pharmacy, to whom was referred Senate File No. 67, a bill for an act to amend Section two thousand five hundred eighty-nine-d, Supplement to the Code, 1913, relative to the examination of pharmacists, beg leave to report they have had the same under consideration and recommend the same do pass.

A. L. BROXAM, *Chairman.*

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. 51, a bill for an act to amend section 1570-b-2 supplement to the code, 1913, relating to the levy of taxes by township trustees for dragging purposes, 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:

Amended by striking out all of said bill after the enacting clause and inserting in lieu thereof the following:

Section 1. That the law as it appears in section one thousand five hundred seventy-b-2 (1570-b-2) Supplement to the Code, 1913, be and the same is hereby amended by inserting after the word "mill" in line fifty-

three (53) thereof (being the second line on page five hundred seventy-two (572) of said Supplement to the Code, 1913,) a comma "," and the words "and may levy not to exceed two mills,".

N. BALKEMA, *Chairman*.

Ordered passed on file.

### THIRD READING OF BILLS.

On motion of Senator Whitmore, Senate File No. 13, a bill for an act to repeal Section Five (5) of Chapter Five of the Acts of the Thirty-Seventh General Assembly and to enact a substitute therefor, relating to the publication of the session laws, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Whitmore 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 vote was:

Ayes, 45.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Broxam	Kimberly	Shane
Buser	Kingland	Smith
Byington	LeCompte	Stephenson
Cessna	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Nelson	Thompson
Fellows	Newberry	White
Foskett	Parker	Whitmore
Foster	Proudfoot	Wilson

Nays, none.

Absent or not voting, 5.

Evans	Pitt	Van Alstine
Frailey	Price	

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 Whitmore, Senate File No. 14, a bill for an act to amend section 879-e, Supplement to the Code, 1913, re-

lating to powers of River Front Improvement Commission, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Whitmore 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 vote was:

Ayes, 43.

Adams	Hale	Rainbow
Anderson	Haskell	Ratcliff
Arney	Holdoegel	Reed
Balkema	Horchem	Rule
Ball	Kimball	Schaffter
Brookhart	Kimberly	Scott
Broxam	Kingland	Shane
Buser	LeCompte	Smith
Byington	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Newberry	Taylor
Fellows	Parker	White
Foskett	Pitt	Whitmore
Foster	Proudfoot	Wilson
Greenell		

Nays, none.

Absent or not voting, 7.

Cessna	Meredith	Thompson
Evans	Price	Van Alstine
Fralley		

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 motion of Senator Kimball, Senate File No. 11, a bill for an act amending Chapter 2-a of title six of the supplement to the code, 1913, and relating to primary elections and nominations of candidates for office and the election of delegates to various party conventions and the regulation of such party conventions, the selection of committeemen, and filing of nomination papers, the preparation and form of the primary ballot and the count and canvass of the vote at such election and the certification thereof; provision for deciding a tie vote and for vacancy in nomination and for repeal of sections in

conflict therewith, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted. •

The committee amendments found in the Senate journal of January 30th were adopted.

Senator Whitmore offered the following amendment:

I move to amend Senate File No. 11 by inserting a comma after the word "governor" in line six (6), page one (1), section one (1), and inserting between the words "governor" and "and" in said line the following: "railroad commissioner".

And by inserting between lines twenty-five (25) and twenty-six (26) of section six (6), page nine (9), the following:

"For railroad commissioner  
(Vote for one)

- Thomas Williams
- John Smith
- .....

Senator Wilson raised the point of order that Senator Scott was discussing the bill instead of the amendment under consideration.

President declared the point of order well taken.

Senator Foster moved that further consideration of this bill be deferred until 11:00 a. m., February 12th, 1919.

The motion was lost.

On the question, "Shall the amendment offered by Senator Whitmore be adopted?" the vote was:

Ayes, 16.

Brookhart  
Buser  
Cessna  
Coburn  
Edwards  
Holdoegel

Kingland  
Meredith  
Nelson  
Parker  
Ratcliff

Scott  
Stephenson  
Taylor  
Thompson  
Whitmore

Nays, 30.

Adams	Greenell	Rainbow
Anderson	Hale	Reed
Arney	Haskell	Rule
Balkema	Horchem	Schaffter
Ball	Kimball	Shane
Broxam	Kimberly	Smith
Byington	LeCompte	Stoddard
Fellows	Mitchell	Van Alstine
Foskett	Newberry	White
Foster	Proudfoot	Wilson

Absent or not voting, 4.

Evans	Pitt	Price
Fralley		

The amendment was lost.

Senator Kimball offered the following amendment:

I move to amend the bill by striking out the form of the ballot except as amended in lines six (6) to fifty (50) inclusive of section 6 of the bill.

The amendment was adopted.

Senator Wilson moved that further consideration of the bill, Senate File No. 11, be postponed until Tuesday, February 11th, at 11 o'clock.

The motion prevailed.

On motion of Senator Kimball, further action on Senate File No. 21 was deferred to follow consideration of Senate File No. 11.

#### MESSAGES FROM THE HOUSE.

The following messages was received from the House:

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

Senate File No. 62, a bill for an act making appropriation to defray expenses of the inaugural ceremonies.

W. C. RAMSAY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to 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 relative to establishment of drainage districts.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGE CONSIDERED.

House File No. 47, a bill for an act to amend sections five (5) and six (6) of chapter three hundred forty-four (344) of the acts of the thirty-seventh general assembly relating to the establishment of drainage districts.

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

Senator Kimball filed the following amendment to Senate File No. 11 and asked that it be printed in the journal:

I move to amend the bill as amended by changing the word "three" to "———" in the form of the bill in the clause "(Vote for three)" immediately following the words "For Township Trustees."

#### CORRECTION OF JOURNAL.

The journal of February 5th was corrected and approved.

On motion of Senator Kingland, Senate adjourned until 10:00 a. m. Friday.



# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 7, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. W. C. Cole, pastor of the Capitol Hill Church of Christ, Des Moines.

## LEAVE OF ABSENCE.

On request of Senator Hale, leave of absence was granted Senator Wilson until Monday morning.

On request of Senator Horchem, leave of absence was granted Senator Broxam for Friday and Saturday.

On request of Senator Whitmore, leave of absence was granted Senator Price for the day.

On request of Senator Whitmore, leave of absence was granted Senator Cessna for the day.

On request of Senator Rule, leave of absence was granted Senator Pitt for the day.

## PETITIONS AND MEMORIALS.

Senator Taylor presented a remonstrance of citizens of Buchanan county against the repeal of the present cigarette laws.

Referred to committee on public health.

Senator Adams presented a petition of citizens of Emmet county relative to payment of fish license.

Referred to committee on fish and game.

Senator Arney presented a petition of citizens of Marshall county relative to land titles.

Referred to committee on land titles.

Senator Brookhart presented a remonstrance of citizens of Mt. Pleasant against a public utility commission.

Referred to committee on public utilities.

#### INTRODUCTION OF BILLS.

By Senator Kingland, Senate File No. 156, a bill for an act to amend section thirty-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 committee on judiciary No. 1.

By Senator Rainbow, Senate File No. 157, a bill for an act to amend chapter three hundred ninety-six (396) of the acts of the thirty-seventh general assembly, relating to the trapping of fur bearing animals.

Read first and second time and referred to committee on fish and game.

By Senator Schaffter, Senate File No. 158, a bill for an act to amend Section two-thousand seven-hundred twenty-seven-three (2727-3a) of the Supplement to the Code, 1913, providing for salaries of Chief Executives of certain State Institutions.

Read first and second time and referred to committee on board of control.

By Senator Frailey, Senate File No. 159, a bill for an act to promote the general welfare of the people of this state by creating a liability on the part of employers to secure and compensate their employes and dependents, irrespective of the fault of either party, for personal injuries sustained by such employes when the same arise out of and in the course of their employment, and providing for such compensation and benefits; determining the conditions and terms under which certain employers and their employes may reject, and certain other employers and their employes may accept, the compensation provisions of this chapter; fixing the character and amount of such compensation and benefits and the manner of arriving at same, and also specifying the terms and conditions under which the same shall be paid; pro-

viding for the enforcement and administering of such compensation statute, and fixing penalties for the violation of its provisions; and repealing Chapter 8-A, Title XII, Supplement to the Code, 1913, and all acts amendatory thereof, and all other acts, or parts of acts, in conflict herewith.

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

By Senator Ratcliff, Senate File No. 160, a bill for an act amending Section Two Thousand Seven Hundred Twenty-seven-3a (2727-3a) Supplemental Supplement to the Code of Iowa, 1913, relative to the salary of the chief executive officer of the Institution for Feeble Minded Children at Glenwood.

Read first and second time and referred to committee on board of control.

By Senator Byington, Senate File No. 161, a bill for an act to amend section forty-six hundred-a (4600-a) of the Supplement to the Code, 1913, relative to fees of Justices of the Peace and Constables.

Read first and second time and referred to committee on county and township affairs.

By Senator Van Alstine, Senate File No. 162, a bill for an act to amend the law as it appears in section twenty-nine hundred five (2905), of the code, and to repeal section twenty-nine hundred six (2906), of the code, enacting a substitute therefor, relative to the filing of chattel mortgages, bills of sale or other instruments affecting the title to or incumbrance of personal property and providing fees to be paid therefor, and repealing all laws or parts of laws in conflict herewith.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Anderson, Senate File No. 163, a bill for an act to amend the law as it appears in Section Twenty-nine-hundred-B (2900-B) Supplemental Supplement to the Code 1915, permitting the carrying out of the recommendations embodied in the report of the State Highway Commission as to certain lakes.

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

By Senator Whitmore, Senate File No. 164, a bill for an act to simplify legal procedure.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Horchem, Senate File No. 165, a bill for an act to amend Section Two Thousand Seven Hundred Eight (2708) of the Supplement to the Code, 1913, Providing for Commitment of certain persons to State Institutions.

Read first and second time and referred to committee on board of control.

By Senator Holdoegel, Senate File No. 166, a bill for an act to amend Chapter Two-A (2-A) of Title Six (VI), Supplement to the Code, 1913, relating to primary elections and nominations for office and to amend Section One Thousand and Eighty-seven-a16 (1087-a16), Supplement to the Code, 1913, and to provide that the primary election laws, and laws relating to the nomination of candidates for office, shall apply to women the same as to men.

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

By Senator Arney, Senate File No. 167, a bill for an act to amend the law as it appears in section two thousand two hundred thirty-eight (2,238) of the code of 1897, giving to the Board of Supervisors authority to provide dental attendance and services for the poor.

Read first and second time and referred to committee on public health.

By Senator Arney, Senate File No. 168, a bill for an act providing for the establishment of dental clinics for school children and the offering of certain courses of instruction in certain schools and the employment of dentists and dental hygienists by Public School Corporations.

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

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

Your Joint Committee on Enrolled bills respectfully report that they have examined and find correctly enrolled the following bill:

House File No. 13, a bill for an act to legalize a special election held at the Hawkeye School House in Huron Township, Des Moines County, Iowa, on the 19th day of June, 1918, to vote upon the proposition of organizing a Consolidated Independent School District, to be composed of parts of Huron and Yellow Springs Townships in Des Moines County, Iowa, and to legalize the said Consolidated Independent School District and to ratify and confirm the election of officers and the organization of the Board of Directors of said Consolidated Independent School District and to ratify and confirm all the acts of the said Board so elected and organized, and to legalize the special election held at said school house on the 19th day of June, 1918, for the purpose of authorizing the issue of bonds of said District in the sum of \$55,000.00 for the purchase of a site for a school house and for the erection and equipping thereon of a school house and teacher's home.

Also House File No. 50, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants, of the city of Sac City, Sac County, Iowa.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

## HOUSE FILES SIGNED.

The president announced that as president of the Senate, in the presence of the Senate he had signed House Files 13, 50 and 73.

## 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. 116, a bill for an act relating to pensions for police officers.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 71, a bill for an act relating to issuance of ditch warrants in connection with the drainage of highways.

W. C. RAMSAY, *Chief Clerk.*

Also:

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

House File No. 70, a bill for an act relating to changing the fund out of which certain costs shall be paid.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 37, a bill for an act legalizing certain acts of the Marcus and Amherst Cemetery Association of Cherokee County, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in the Senate amendment to House File No. 50, a bill for an act relating to certain warrants of Sac City, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

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

Senate Concurrent Resolution relative to amendment of joint rules.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 116, a bill for an act to amend Chapter 23 of the Acts of the thirty-seventh general assembly, relating to pensions for police officers.

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

House File No. 71, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-b seven (1989-b7), supplemental supplement to the code, 1915, to provide for the issuance of ditch warrants in connection with the drainage of high-ways.

Read first and second time and referred to committee on high-ways.

House File No. 70, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-b ten (1989-b10), supplemental supplement to the code, 1915, by changing the fund out of which the costs referred to in said section shall be paid.

Read first and second time and referred to committee on high-ways.

#### COMMUNICATION FROM THE BOARD OF CONTROL OF STATE INSTITUTIONS.

Des Moines, Iowa, February 3, 1919.

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

In compliance with the provision of Chapter 237, Acts of the Thirty-seventh General Assembly, we have made a preliminary investigation as to the feasibility of manufacturing Portland cement in plants owned by the state and with labor furnished by the inmates of the state institutions under our control.

To James H. Lees, assistant state geologist, we are indebted for much valuable information concerning deposits of limestone and shale in the state. In his report to the Board of Control, he refers to the resources of different counties by their geological names so that they may be located on the published geologic map. Formations, which because of their character are not suitable for the making of Portland cement being ignored.

There is apparently a great quantity of raw material in the state, some of which is not available for economical use in the manufacture of cement, either because the rock and shale are not present in the same locality, stripping would be expensive, or the rock too magnesian. Professor Lees says:

"In southwestern Allamakee county, between Waukon and Postville, are interbedded shales and limestones of the Platteville formation. These beds are also present in northeastern Winneshiek county east of and at Decorah. They are overlain, where their entire thickness is present, by the Decorah shales. These are well developed at Decorah. In northeastern Clayton county the Platteville limestones and shales and also the overlying Decorah shales and Galena limestone are developed and are in places

of suitable character for cement making. In Clayton county there are also extensive deposits of the Maquoketa shales, parts of which are suitable for use in cement. These shales are extensively exposed in northeastern Fayette county, as at Elgin and Clermont. The Platteville limestones are exposed along the Mississippi north of Dubuque and the Maquoketa shales are exposed in the valleys west of Dubuque, as, for instance, near Graf on Little Maquoketa river.

"Some of the Devonian limestones are suitable for cement making although in some of the northern counties the rock is too magnesian. This is true of much of the rock as exposed in Fayette, Chickasaw and Howard counties, and to some extent in Bremer, Worth and Franklin. In Mitchell county some of the limestone is of excellent quality, but there are no shales convenient of access. There is an abundance of limestone, much of it of good quality, in Floyd county, and at Rockford both the limestones of the Cedar Valley stage of the Devonian and the shales of the Lime Creek stage are well developed. These are the rocks which are used at Mason City for cement making. Cerro Gordo county is favorably situated in having both the Cedar Valley limestones and the Lime Creek shales extensively developed and close to the surface. Mason City is at the contact of these two formations and this accounts for the presence here of the two cement plants. In the counties of Butler, Black Hawk, Buchanan and Benton there are deposits of limestone, but no shales, or only thin layers. In Linn county the Cedar Valley limestones are somewhat shaly, and the Wapsipinicon beds are magnesian. The Cedar Valley limestones are well developed in Johnson county but here, as in most other counties of the Devonian area, there are no shales available. In Scott county the Cedar Valley limestones are abundant along the Mississippi river, and as there are coal mines operated near Buffalo it might be possible to use the shales of the Coal Measures in connection with the limestones. In Muscatine county also the same conditions hold good. The Cedar Valley limestones outcrop along the Mississippi while overlying them are shales known as the Sweetland Creek, and also shales of the Coal Measures are present in the county. These two counties are also within convenient distance of the Illinois coal fields.

"In the vicinity of Fort Dodge, Webster county, the limestones and marls of the St. Louis stage are well developed, as are also the overlying shales of the Coal Measures or Des Moines stage. The great difficulty here would be the amount of stripping required. Some coal is mined in the southern part of the county. At Gilmore, Pocahontas county, the St. Louis limestone is quarried and is of excellent quality for use in cement. I believe that a cement mill has been started here, though I do not know what progress has been made. The limestones of the Kinderhook and St. Louis are well exposed at Humboldt and other localities along the Des Moines river in Humboldt county. Limestones of the Kinderhook stage are present along Iowa river in northern Hardin county and east of Marshalltown in Marshall county. Some of these rocks are of excellent quality. The absence of shale deposits in the vicinity is, however, a serious drawback to their utilization. The St. Louis limestones are exposed along Des Moines river in Marion, Mahaska and Wapello counties and in some places



the shales of the Des Moines stage overlie them in convenient association. A few years ago these deposits were examined near Harvey with a view to the establishment of a cement mill, but the project was never carried out. At Ottumwa also the St. Louis limestones and Des Moines shales are in close proximity and coal is easily available. In the vicinity of Burlington the shales and limestones of the Kinderhook and Osage stages are well exposed. These shales are used extensively at Hannibal, Missouri, in the manufacture of cement. Limestones are abundantly exposed at Keokuk and elsewhere along Mississippi and Des Moines rivers in Lee county while the Des Moines shales occur farther up Des Moines river in Van Buren county. In this county also the St. Louis and Osage limestones are abundantly exposed along Des Moines river and its tributaries, as at Farmington, near which small coal mines are operated, at Bentonsport, Keosauqua and elsewhere.

"The Des Moines shales are present and exposed in every county along Des Moines valley from Webster south to the Missouri line. Mention has already been made of their presence in several counties. Of course they are of value in this connection only where limestones are near enough for the two materials to be brought together. The success of the Hawkeye plant at Des Moines shows the feasibility of transporting one of these materials, and it may be said that in addition to the deposits of limestone near Earlham, Madison county, which are used in the Des Moines mill, there are in southern Madison county extensive deposits of the same rocks, the Missouri limestones. These are available along the Winterset branch of the Rock Island Railroad and along the Chicago Great Western line. The Des Moines shales are abundantly developed and are easily accessible in the vicinity of Des Moines. Their presence along the Des Moines valley below Des Moines has been mentioned previously. In south central and southwestern Iowa, while the beds of the Des Moines and Missouri stages are present, these beds are under too great a cover or are not suitable locations for their exploitation.

"The only other formation in Iowa which carries material for Portland cement making is the Cretaceous, which, as the map shows, is present over northwestern Iowa. It is not well exposed but at Grant City, near Auburn, Sac county, the shales and chinks of this system are exposed along Raccoon river and are used in making clay wares. This would probably be suitable for cement making. Shales and chinks of this system are exposed also in the bluffs of Missouri river between Sergeant Bluff, south of Sioux City, and Cedar Bluff, north of that town, and along Big Sioux river near Westfield, Plymouth county, and below Hawarden, in Sioux county. Analyses of these deposits demonstrate their suitability for cement materials but they lie under a heavy cover. Another small outcrop occurs near Le Mars, Plymouth county."

The foregoing outline is intended only to indicate in a general way the resources of the state in raw materials, suitable for cement making. Any action looking toward the establishment of a cement plant should be preceded by careful and exhaustive investigations of any localities or deposits which seem to offer the most favorable combination of conditions.

Our inquiries as to the construction and operation of a cement plant covered the following points:

1. Capacity of mill for economical operation.
2. Cost of establishing such a plant.
3. Amount of capital needed for operation and to carry accounts, etc.
4. Number of men required.
5. Estimated manufacturers' pay roll.
6. Amount of land needed.
7. Proximity to quarry.

Our information is that a cement plant for economical operation should have a capacity of not less than 3,000 barrels per day, based on 300 days' operation annually. Some operators advise a larger output. The cost of a 3,000-barrel mill including construction and equipment, purchase of quarry land, etc., based on pre-war conditions, is estimated at \$2,000,000, to which should be added 50% or a total of \$3,000,000, if constructed at this time. A fund of \$350,000 to \$500,000 would be required for operating expenses purchasing of supplies, packages, carrying accounts, stocks, etc. The equipment of a cement plant is constantly subjected to severe service, to close down is very expensive, so that it is necessary to carry duplicate parts of much of the machinery.

A mill of the capacity above indicated would employ about 300 men with a pay roll based on present scale of wages, approximating \$35,000 per month.

The amount of land required would depend a great deal upon the thickness of the lime rock strata. One of the large cement companies of the state owns 600 acres of quarry land, located 35 miles from the mill from which their material must be shipped by rail. They are fortunate, however, in having a deposit of coal in close proximity to the plant. A mill should have in sight not less than 30 or 40 years' supply of raw material.

Our conclusions are: That it would not be wise for the state to engage in the manufacture of cement under present conditions. We are thoroughly convinced that the operation of a cement plant with the labor of state institutions would not be feasible. The only available source of labor would be the reformatory and penitentiary, and this labor is now fully employed in farming, other out-of-door pursuits and in the manufacture of butter tubs and furniture, in factories established by the state at the respective institutions, under working conditions which are much more favorable than would obtain in a cement mill. Furthermore, if men were available, cement making is not well adapted to prison labor:

1. It is not a healthful pursuit.
2. The workmen do not become skilled in a useful trade.
3. The discipline could not be maintained without the erection of suitable housing for the men, entailing a large investment and heavy overhead expense.
4. Educational advantages maintained at the prisons would be denied the men because of long hours of exhaustive labor.

In our opinion, it would be impossible to successfully operate a plant of this character with labor furnished by the state institutions.

Respectfully submitted,

BOARD OF CONTROL OF STATE INSTITUTIONS,

By A. M. McCOLL.

#### EXTRA COPIES OF SENATE FILE NO. 159.

On request of Senator Frailey, 500 extra copies of Senate File No. 159 were ordered printed.

#### SWENEY MEMORIAL RESOLUTION.

Senator Kingland offered the following resolution:

*Whereas*, Col. Joseph Henry Sweney of Osage, Mitchell County, Iowa, who was a member of the Senate in the Twentieth, Twenty-first and Twenty-second General Assemblies of Iowa, died November 11, 1918; therefore

*Be It Resolved*, That a committee of three be appointed to prepare a memorial fittingly to commemorate his life and services to his state and nation.

By unanimous consent the resolution was taken up, considered and adopted.

The president appointed as such committee, Senators Kingland, Buser and Horchem.

#### REPORTS OF COMMITTEES.

Senator Ball, from the committee on public health, submitted the following report:

MR. PRESIDENT—Your committee on public health, to whom was referred Senate File No. 94, a bill for an act relating to the public health, making and providing penalties for the violations of the provisions thereof, and repealing all acts in conflict herewith, 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, when approved by the appropriation committee.

That section 22 of the bill be amended by striking out the words and figures "fifteen thousand dollars (\$15,000.00)" in line one thereof, and inserting in lieu thereof the words and figures "twenty-five thousand dollars (\$25,000.00)."

GEORGE W. BALL, *Chairman.*

Ordered passed on file.

Senator Hale, from the committee on board of control, submitted the following report:

MR. PRESIDENT—Your committee on board of control, to whom was referred Senate File No. 29, a bill for an act making appropriations for the erection, repair and improvement of buildings, for appurtenances and connections thereto, for furniture, fixtures and furnishings and equipment, for the purchase of land, live stock, etc., beg leave to report they have had the same under consideration and recommend the same be reported out with recommendation that it be referred to the appropriation committee, with recommendation that it be reported out for passage.

J. K. HALE, *Chairman.*

Referred to committee on appropriations.

Also:

Your committee on board of control, to whom was referred Senate File No. 88, a bill for an act to repeal the law as it appears in sections 1, 2, 3, 5, 6 and 7, chapter 266, Thirty-seventh General Assembly, and to repeal sections 2291-b, 2608, 2700, 5718, Supplement to the Code, 1913, 2691 and 2713, Supplemental Supplement to the Code, 1915, and to enact substitutes therefor and to amend section 2727-a85, etc., beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend by striking out section 10 and substituting in lieu thereof as section 10 the following: "Allowance for support of state hospital and colony for epileptics. That the law as it appears in paragraph seven (7) of section twenty-seven hundred twenty-seven-a96 (2727-a96), supplemental supplement to the code, 1915, be and the same is hereby amended by striking out the word "fifteen" in line five (5) of said paragraph and by inserting in lieu thereof the word "twenty-four;" and by striking out the word "four" in line eleven (11) of said paragraph and by inserting in lieu thereof the word "seven."

And when so amended that the bill be referred to the committee on appropriations with the recommendation that same be reported out for passage.

J. K. HALE, *Chairman.*

Referred to committee on appropriations.

Also:

Your committee on board of control, to whom was referred Senate File No. 79, a bill for an act to appropriate \$25,000.00 as an additional amount to complete the medical and laboratory building, State Sanatorium for Treatment of Tuberculosis, and equipment thereof, and \$3,000.00 for purchase of an x-ray machine, beg leave to report they have had the same under consideration and recommend the same be referred to the Appropriation Committee with the recommendation that same be reported out for passage.

J. K. HALE, *Chairman.*

Referred to committee on appropriations.

Also:

Your committee on board of control, to whom was referred Senate File No. 31, a bill for an act to repeal Section 5718-a4 of the supplement to the code, 1913, and to enact a substitute therefor relating to the reformatory at Anamosa, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

J. K. HALE, *Chairman.*

Ordered passed on file.

Also:

Your committee on board of control, to whom was referred Senate File No. 59, a bill for an act to amend Section 254-a3 of the Supplement to the Code, 1913, providing for commitment of certain persons to state institutions, 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:

Amend by inserting between the figures "254-a23" and the word "be" in line two thereof, of the bill the following: "supplement Code, 1913," and also by striking out of line eight of said bill the words: "his or her majority" and inserting therein the following: "the age of twenty-one years."

J. K. HALE, *Chairman.*

Ordered passed on file.

Also:

Your committee on board of control, to whom was referred Senate File No. 60, a bill for an act to amend Chapter Three Hundred Seventy (370) of the acts of the Thirty-seventh (37) General Assembly, relating to the appointment and compensation of state agents by the Board of Control

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 be reported out for passage.

J. K. HALE, *Chairman.*

Referred to committee on appropriations.

Senator Edwards, from the committee on county and township affairs, submitted the following report:

MR. PRESIDENT—Your committee on county and township affairs, to whom was referred Senate File No. 54, a bill for an act to amend chapter 267 of the laws of the 37th General Assembly and relating to the compensation of jury commissions and the auditing of the same by a judge of the district court, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs, to whom was referred Senate File No. 122, a bill for an act to amend the law as it appears in section two hundred fifty-four-a20 of the supplement to the code, 1913, relating to financial aid for widowed mothers, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs, to whom was referred Senate File No. 86, a bill for an act to amend section 354-a-18 of the Supplement to the Code as to the salaries of Probation officers in counties of fifty-thousand (50,000) or more in population, 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:

That in line 1, of the caption of the bill, the section number be changed to read 254-a-18, instead of 354-a-18. And that in section 1 of the bill, the section number be changed to read 254-a-18, instead of 354-a-18.

Your committee also recommends that in line four of Section 1, the words "and fifty" be stricken out.

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Senator Coburn, from the committee on agriculture, submitted the following report:

MR. PRESIDENT—Your committee on agriculture, to whom was referred House File No. 26, a bill for an act to amend section twenty-three hundred and fifty-five (2355) of the Code of Iowa in relation to partition fences, beg leave to report they have had the same under consideration and recommend the same do pass.

GEORGE F. COBURN, *Chairman.*

Ordered passed on file.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred Senate File No. 10, a bill for an act to amend the law as it appears in section ten hundred seventy two (1072) and twenty seven hundred forty two (2742) supplement to the Code, 1913, and section twenty seven hundred thirty four-b (2734-b) supplemental supplement to the code 1915, relating to the election, compensation and qualifications of the county superintendent, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BYRON W. NEWBERRY, *Chairman.*

On request of Senator Newberry, by unanimous consent, the bill with the report of the committee was placed on the calendar.

On motion of Senator Adams rule 33 was suspended for the day.

On motion of Senator Foskett, Senate File No. 46 was re-referred to committee on departmental affairs.

#### THIRD READING OF BILLS.

On motion of Senator Parker, Senate Joint Resolution No. 4, a joint resolution relating to the reinstatement to their former appointive public positions or employment of discharged soldiers and sailors, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The amendments proposed by the committee, found in the journal of February 6th, were adopted.

Senator Parker offered the following amendment and moved its adoption:

"MR. PRESIDENT—I move to amend Senate Joint Resolution No. 4 by adding thereto a publication clause and by numbering the paragraphs Section 1. and Section 2. respectively."

The amendment was adopted.

Senator Parker 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.

On the question, "Shall the joint resolution be adopted?" the vote was:

Ayes, 43.

Adams	Haskell	Ratcliff
Anderson	Holdoegel	Reed
Arney	Horchem	Rule
Balkema	Kimball	Schaffter
Ball	Kimberly	Scott
Brookhart	Kingland	Shane
Buser	LeCompte	Smith
Byington	Meredith	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Nelson	Taylor
Evans	Newberry	Thompson
Fellows	Parker	Van Alstine
Foskett	Proudfoot	White
Fralley	Rainbow	Whitmore
Greenell		

Nays, none.

Absent or not voting, 7.

Broxam	Hale	Price
Cessna	Pitt	Wilson
Foster		

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

On motion of Senator Foskett, Senate File No. 51, a bill for an act to amend section 1570-b-2 supplement to the Code, 1913, re-



lating to the levy of taxes by township trustees for dragging purposes, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments found in the journal of February 6th were adopted.

Senator Foskett 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 vote was:

Ayes, 42.

Adams	Frailey	Rainbow
Anderson	Greenell	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Buser	Kimberly	Smith
Byington	Kingland	Stephenson
Coburn	Meredith	Stoddard
Edwards	Mitchell	Taylor
Evans	Nelson	Thompson
Fellows	Newberry	Van Aistine
Foskett	Parker	White
Foster	Proudfoot	Whitmore

Nays, none.

Absent or not voting, 8.

Broxam	LeCompte	Shane
Cessna	Pitt	Wilson
Hale	Price	

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. 99, a bill for an act to repeal Section three thousand five hundred thirty-six A (3536 A) Supplement to the Code, 1913, relative to the legalizing of decrees of court and affidavits of publication and enacting a substitute therefor, with report of committee recommending

amendments and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments found in the journal of February 6th were adopted.

Senator Brookhart offered the following amendment and moved its adoption:

"I move that Senate File 99 be amended by inserting the word "as" between the words "obtained" and "aforesaid" in line thirteen thereof."

The amendment was adopted.

Senator Schaffter 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 vote was:

Ayes, 44.

Adams	Greenell	Ratcliff
Anderson	Haskell	Reed
Arney	Holdoegel	Rule
Balkema	Horchem	Schaffter
Ball	Kimball	Scott
Brookhart	Kimberly	Shane
Buser	Kingland	Smith
Byington	LeCompte	Stephenson
Coburn	Meredith	Stoddard
Edwards	Mitchell	Taylor
Evans	Nelson	Thompson
Fellows	Newberry	Van Alstine
Foskett	Parker	White
Foster	Proudfoot	Whitmore
Frailey	Rainbow	

Nays, none.

Absent or not voting, 6.

Broxam	Hale	Price
Cessna	Pitt	Wilson

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 Rule, Senate File No. 94, a bill for an act relating to the public health, making and providing penalties for

the violations of the provisions thereof, and repealing all acts in conflict herewith, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The committee amendment found in today's journal was adopted.

The bill was referred to the committee on appropriations as recommended.

#### AMENDMENT FILED.

Senator Whitmore proposed the following amendment to Senate File No. 82 and asked that it be printed in the journal:

I move to amend Senate File No. 82 by substituting a comma (,) for the period (.) at the end of line six (6) of section seventy-six-b (76b), page forty-four (44), and adding thereto the following: "or of the bulk sales law, Chapter 64, Acts of the Thirty-seventh General Assembly."

#### COMMUNICATION FROM THE GOVERNOR.

February 7, 1919.

*To the Honorable the Senate of the Thirty-eighth General Assembly:*

MR. PRESIDENT—I herewith submit report, as provided by Section 16, Article IV of the Constitution, on cases of pardon, reprieve, commutation and suspensions granted; also the names of all persons in whose favor remissions of fines and forfeitures have been granted and the amounts, for the biennial period ending December 31, 1918.

There is herewith transmitted printed report, received from the printer on February 6th, marked Exhibit "A" and made a part of this report; also copies of certain letters, a copy of the application and an abstract of the evidence, all being an extension of the record of the case of Ernest Rathbun, of Ida county, as found on page 6 of Exhibit "A," the printed report.

Exhibit "B," hereto attached and made a part of this report, is a copy of the letter of the presiding judge, M. E. Hutchison.

Exhibit "C," hereto attached and made a part of this report, is a copy of the letter of the assistant county attorney of Ida county, J. A. Murphy.

Exhibit "D," hereto attached and made a part of this report, is a copy of the application of Ernest Rathbun for pardon.

Exhibit "E," hereto attached and made a part of this report, is an abstract of the record filed in the pardon case in the office of the governor.

Respectfully submitted,

W. L. HARDING, Governor.

The exhibits referred to in the foregoing communication were referred to the committee on penitentiaries and pardons.

**CORRECTION OF JOURNAL.**

The journal of February 6th was corrected and approved.

On motion of Senator Anderson, Senate adjourned until 10:00 a. m. Saturday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 8, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. John Gratton, director of religious work at Camp Dodge.

## COMMITTEE ON SENATORIAL AND REPRESENTATIVE DISTRICTS.

The president stated that in the formal announcement of the standing committees of the Senate, one committee had been unintentionally omitted and that the following committee should have been included and is hereby appointed as one of the standing committees of the Senate:

Senatorial and representative districts: Greenell, chairman, Le Compte, Buser.

## RESOLUTION SIGNED BY GOVERNOR.

A communication was received from the governor stating that he had approved Senate joint resolution No. 3.

## LEAVE OF ABSENCE.

On request of Senator Proudfoot leave of absence was granted Senator Arney for the day.

On request of Senator Haskell leave of absence was granted Senator Hale until Wednesday morning.

On request of Senator Rule leave of absence was granted Senator Pitt for the day.

On request of Senator Frailey leave of absence was granted Senator Price for the day.

On request of Senator Cessna leave of absence was granted Senators Meredith and Broxam for the day.

On request of Senator Haskell leave of absence was granted Senator Kimberly for the day.

#### PETITIONS AND MEMORIALS.

Senator Kingland presented a remonstrance of First Baptist Church, Osage, against cigarette bill.

Referred to committee on public health.

Senator Evans presented a remonstrance of citizens of Bremer county against bond issue for paved roads.

Referred to committee on highways.

Senator Edwards presented a remonstrance of citizens of Boone county against a bond issue for paved roads.

Referred to committee on highways.

Senator Scott presented a petition of citizens of Chickasaw county relative to hunting rabbits with ferrets.

Referred to committee on fish and game.

Senator Brookhart presented a remonstrance of citizens of Henry county against a bond issue for paved roads.

Referred to committee on highways.

Senator Nelson presented a petition of citizens of Cass county relative to compensation of boards of supervisors.

Referred to committee on county and township affairs.

#### INTRODUCTION OF BILLS.

By Senator Parker, Senate File No. 169, a bill for an act to amend Section Two Thousand Seven Hundred Ninety-three (2793) of the Supplement to the Code, 1913, relating to the changing of boundary lines of contiguous school corporations.

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

By Senator Haskell, Senate File No. 170, a bill for an act to create a lien on automobiles or other motor vehicles left with garages for storage or repair and creating a method of enforcing the said lien.

Read first and second time and referred to committee on motor vehicles.

By Senator Buser, Senate File No. 171, a bill for an act to legalize the Notice of Incorporation of the S. T. Sinnett Company.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Rainbow, Senate File No. 172, a bill for an act to amend the law as it appears in section twenty-nine hundred thirty-five, supplement to the code, 1913, relative to duties of county recorder.

Read first and second time and referred to committee on county and township affairs.

By Senator Rainbow, Senate File No. 173, a bill for an act to repeal Paragraph One (1) of Section Four Hundred Forty-two (442) of the Code and enact a substitute therefor, and to add to said Section a Paragraph to be known as Five (5), all relative to record of Meetings of Board of Supervisors.

Read first and second time and referred to committee on county and township affairs.

By Senator Stoddard, Senate File No. 174, a bill for an act to amend Section Eight Hundred Nine (809) of the Code, relating to the putting in of water works connections before permanent improvement of the street, alley or public place where the same is located and the taxing of the cost of same to the property benefited if the property owner fails and neglects to put in the same and pay the cost thereof.

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

By Senator Stoddard, Senate File No. 175, a bill for an act to provide for the establishment of part-time schools and classes in

aid of vocational and other education for children holding work permits under the provisions of the law relating to child labor and for certain other minors between the ages of fourteen (14) and sixteen (16) and to provide for compulsory attendance thereon.

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

By Senator Stoddard, Senate File No. 176, a bill for an act to amend Chapter Two Hundred Ninety (290) of the laws of the Thirty-Seventh General Assembly relating to vocational education, to appropriate money for State aid in affording such education and to provide for the expense of administration thereof.

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

By Senator Stoddard, Senate File No. 177, a bill for an act to amend Section Ten (10) of Chapter Two Hundred Ninety (290) of the Acts of the Thirty-Seventh (37) General Assembly and appropriating money for the expenditures of the State Board for Vocational Education.

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

#### EXTRA COPIES PUBLIC UTILITIES BILL.

On motion of Senator Thompson 250 extra copies of the public utilities bill prepared by the committee were ordered printed.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter from the joint committee on enrolled bills submitted the following report and moved its adoption:

Your joint committee on enrolled bills respectfully report that they have examined and find correctly enrolled the following bill:

House File No. 73, a bill for an act Amending Section two thousand five hundred and seventy-five-a forty-eight (2575-a48), of the Supplement to the Code, 1913, relating to the eradication of harmful barberry, or other plants that act as alternate hosts or carriers of dangerous insect



pest, or plant disease, and prescribing the duties of the State Entomologist in relation thereto.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter from the committee on enrolled bills submitted the following report and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 62, a bill for an act making an appropriation to defray the expenses of the inaugural ceremonies.

Also:

Senate File No. 37, a bill for an act to legalize the organization, incorporation, acts, transactions, plats, deeds, conveyances, and other instruments and acts executed and done by the Marcus & Amherst Cemetery Association of Cherokee County, Iowa.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

Adopted.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter 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. 62, a bill for an act making an appropriation to defray the expenses of the inaugural ceremonies.

Also:

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EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

## HERRIOTT MEMORIAL RESOLUTION.

Senator Foster offered the following resolution:

*Whereas*, On the 24th day of September, 1918, in obedience to nature's immutable laws, the Honorable John Herriott, late Lieutenant Governor of Iowa, ceased from his earthly labors and passed to his final reward. Therefore,

*Be It Resolved*, That the president of the Senate appoint a committee of three (3) to prepare suitable memorial resolutions touching his public service and his high standing as a citizen.

By unanimous consent the resolution was taken up, considered and adopted.

The president appointed as such committee Senators Foster, Newberry and Arney.

## BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate in the presence of the Senate he had signed Senate Files 62 and 37.

## 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. 119, a bill for an act relating to filing of claims for labor and material used in construction of public buildings.

W. C. RAMSAY, *Chief Clerk*.

Also:

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

House File No. 62, a bill for an act providing that certified copies of public records be furnished free of charge to any soldier, sailor or marine.

W. C. RAMSAY, *Chief Clerk*.

Also:

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

House File No. 121, a bill for an act relating to exemption of personal earnings.

W. C. RAMSAY, *Chief Clerk.*

Also:

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

House File No. 14, a bill for an act relating to the rebate of the highway tax for the use of wide tired wagons.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 14, a bill for an act to repeal the law as it appears in sections fifteen hundred seventy-d (1570-d), and fifteen hundred seventy-e (1570-e), supplement to the code, 1913, relating to the rebate of the highway tax for the use of wide tired wagons.

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

House File No. 62, a bill for an act providing that certified copies of public records be furnished free of charge to any soldier, sailor or marine, in service or honorably discharged, or any dependent of such soldier, sailor or marine.

Read first and second time and referred to committee on military affairs.

House File No. 121, a bill for an act to amend the law as it appears in Section Four Thousand Eleven (4011), of the Code, relating to the exemption of personal earnings.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 119, a bill for an act amending Section Thirty-One-Hundred-Four (3104) of the Code, relative to the filing of claims for Labor and material used in the construction of public buildings and fixing the time within which action may be brought to enforce the same.

Read first and second time and referred to committee on judiciary No. 2.

### THIRD READING OF BILLS.

On motion of Senator Byington Senate File No. 110, a bill for an act to amend section sixteen hundred forty-one-b (1641-b) of the supplement to the code, 1913, providing for the appraisal of property for which it is proposed to issue stock of a corporation for pecuniary profit, recommended by committee on judiciary No. 2 as a substitute for Senate File No. 4, was taken up and considered.

Senator Byington offered the following amendments:

I move to amend Senate File No. 110 as follows:

By striking out of line 4 of section 2 the words "of such corporation" and by adding at the end of line 4 "for which stock is to be issued."

By placing a comma after the word "stock" in line 7 of section 2 and by striking out of said line the words "of such corporation."

By striking out of line 1 of section 3 the words "an applicant," and inserting the word "a".

By striking out of line 3 of section 3 the words "and property."

By striking out of line 5 of section 3 the words "and the property of such corporation" and inserting in lieu thereof the words "for which stock is to be issued."

The amendments were adopted.

Senator Holdoegel offered the following amendment:

I move that the words "public utilities" be stricken from line four of section 1.

Senator Holdoegel moved that Senate File No. 110 be made a special order for Wednesday morning, February 12th, at 10:30.

Motion lost.

On the question, "Shall the amendment offered by Senator Holdoegel be adopted?" the vote was:

Ayes, 6.

Balkema	Foster	Rainbow
Buser	Holdoegel	Schaffter

Nays, 35.

Adams	Greenell	Rule
Anderson	Haskell	Scott
Ball	Horchem	Shane
Brookhart	Kimball	Smith
Byington	Kingland	Stephenson
Cessna	LeCompte	Stoddard
Coburn	Mitchell	Taylor
Edwards	Nelson	Thompson
Evans	Newberry	Van Alstine
Fellows	Parker	White
Foskett	Ratcliff	Whitmore
Frailey	Reed	

Absent or not voting, 9.

Arney	Kimberly	Price
Broxam	Meredith	Proudfoot
Hale	Pitt	Wilson

The amendment was lost.

Senator Byington 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 vote was:

Ayes, 40.

Adams	Greenell	Reed
Anderson	Haskell	Rule
Balkema	Holdoegel	Schaffter
Ball	Horchem	Scott
Brookhart	Kimball	Shane
Buser	Kingland	Smith
Byington	LeCompte	Stephenson
Cessna	Mitchell	Stoddard
Coburn	Nelson	Taylor
Edwards	Newberry	Thompson
Evans	Parker	Van Alstine
Fellows	Rainbow	White
Foskett	Ratcliff	Whitmore
Frailey		

Nays, none.

Absent or not voting, 10.

Arney	Kimberly	Price
Broxam	Meredith	Proudfoot
Foster	Pitt	Wilson
Hale		

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

SENATE FILE NO. 4 WITHDRAWN.

By unanimous consent Senator Byington withdrew Senate File No. 4 from further consideration.

THIRD READING OF BILLS.

On motion of Senator Kimball Senate File No. 54, a bill for an act to amend chapter 267 of the laws of the 37th General Assembly and relating to the compensation of jury commissioners and the auditing of the same by a judge of the district court, with report of committee recommending passage, was taken up, considered, and the report of the committee 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 vote was:

Ayes, 36.

Adams	Greenell	Reed
Anderson	Haskell	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Byington	Kingland	Shane
Cessna	LeCompte	Smith
Edwards	Mitchell	Stoddard
Evans	Nelson	Taylor
Fellows	Newberry	Thompson
Foskett	Parker	Van Alstine
Foster	Rainbow	White
Fralley	Ratcliff	Whitmore

Nays, none.

Absent or not voting, 14.

Arney	Hale	Price
Balkema	Holdoegel	Proudfoot
Broxam	Kimberly	Stephenson
Buser	Meredith	Wilson
Coburn	Pitt	

So the bill having received a constitutional majority was declared to have passed the Senate.

By unanimous consent the word "hundred" was inserted following the word "two" in the first line of the title and also in the first line of section 1 of the bill.

The title as amended was agreed to.

On motion of Senator Taylor Senate File No. 122, a bill for an act to amend the law as it appears in section two hundred fifty-four-a20 of the supplement to the code, 1913, relating to financial aid for widowed mothers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

On request of Senator Taylor, further consideration of the bill was postponed.

On motion of Senator Smith House File No. 26, a bill for an act to amend section twenty-three hundred and fifty-five (2355) of the code of Iowa in relation to partition fences, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Alstine offered the following amendment:

I move to amend House File 26 by changing the period at the end of Section 1 to a comma and adding the following:

"And by inserting immediately after the word 'shall' in line 3 the following: 'upon written request of either owner.'"

Also by striking out Section 2.

Senator Whitmore moved that the pending bill be referred to the committee on agriculture.

The motion prevailed.

#### CORRECTION OF JOURNAL.

The journal of February 7th was corrected and approved.

On motion of Senator Adams, Senate adjourned until 10 a. m. Monday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 10, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. Henry F. Horton of Belmond.

## LEAVE OF ABSENCE.

On request of Senator Evans, leave of absence was granted Senator Wilson for the day.

On request of Senator Foskett, leave of absence was granted Senators Holdoegel and Shane for the day.

On request of Senator Haskell, leave of absence was granted Senator Pitt for the day.

## PETITIONS AND MEMORIALS.

Senator Kingland presented a petition of citizens of Mitchell county favoring four year term for county officers.

Referred to committee on county and township affairs.

Senator Mitchell presented a remonstrance of citizens of Mahaska county against bond issue for paved roads.

Referred to committee on highways.

Senator Edwards presented a petition of citizens of Boone county relative to automobile tax.

Referred to committee on motor vehicles.

Senator Edwards presented a remonstrance of citizens of Boone county against hard surfaced public highways.

Referred to committee on highways.



Senator Stoddard presented a petition of the Civil Engineers' Club of Sioux City relative to the housing law.

Referred to committee on cities and towns.

Senator Foskett presented a petition of citizens of Fremont county favoring the four-year term bill for county officers.

Referred to committee on county and township affairs.

Senator Fellows presented a remonstrance of citizens of Allamakee county protesting against the pasteurization of cream.

Referred to committee on dairy and food.

Senator Buser presented a petition of citizens of Louisa county relative to the killing of quail and prairie chickens.

Referred to committee on fish and game.

Senator Proudfoot presented a remonstrance of citizens of Warren county opposing bond issue for paved roads.

Referred to committee on highways.

Senator Smith presented a remonstrance of citizens of Madison county opposing further taxation for road improvements.

Referred to committee on highways.

Senator Cessna presented a remonstrance of citizens of Poweshiek county against bond issue for paved roads.

Referred to committee on highways.

Senator Van Alstine presented a petition of members of the bar of Pocahontas county favoring increased compensation of district court reporters.

Referred to committee on departmental affairs.

Senator Rainbow presented a remonstrance of citizens of Grundy county against repeal of law prohibiting the killing of quail.

Referred to committee on fish and game.

Senator Rainbow presented a remonstrance of citizens of Black Hawk county against the repeal of the present anti-cigarette law.

Referred to committee on public health.

Senator Frailey presented a remonstrance of citizens of Lee county against a bond issue for paved roads.

Referred to committee on highways.

#### INTRODUCTION OF BILLS.

By Senator Van Alstine, Senate File No. 178, a bill for an act to amend the law as it appears in section two thousand five hundred fifteen (2515) of the supplemental supplement to the code, 1915, and relating to the appointment of a dairy and food commissioner, a deputy dairy and food commissioner, a state dairy inspector, assistants, a chemist, and a bacteriologist and assistant chemist, define the power and duties of such officers and fix their compensation; and to amend the law as it appears in section two thousand five hundred fifteen-g (2515-g) of the supplement to the code, 1913, relating to penalties for violating the dairy laws enforced by the dairy and food commissioner; and to amend section two thousand five hundred twenty-two (2522) of the supplement to the code, 1913, relating to making reports by manufacturers of certain dairy products; and to amend section two thousand five hundred twenty-four (2524) of the code relating to salaries of milk inspectors in certain cities; and to amend chapter thirteen (13) of the code by adding thereto a section relating to the registration and use of marks or brands on containers used for handling skimmed-milk, butter-milk, milk, cream and ice cream, also a section relating to the use of the words "butter," "creamery" and "dairy" on substitutes for butter and advertising material pertaining thereto; and to repeal the law as it appears in sections two thousand five hundred fifteen-b (2515-b) and two thousand five hundred fifteen-c (2515-c) of the supplement to the code, 1913, and section two thousand five hundred fifteen-d (2515-d) supplement to the code, 1913, as amended by chapter three hundred seventy-seven (377), section one (1), acts of the thirty-seventh general assembly, and to enact substitutes therefor relating to the sale of imitation evaporated milk, imitation ice cream, skimmed milk, milk, cream and other dairy products.

Read first and second time and referred to committee on dairy and food.

By Senator Scott, Senate File No. 179, a bill for an act to repeal the law as it appears in Sections Four Hundred and Ten (410) and Four Hundred and Eleven (411) of the Supplemental Supplement to the Code, 1915, and to repeal Section Four Hundred and Sixteen (416) of the Supplement to the Code, 1913, and to repeal Sections Four Hundred Seventeen (417), Four Hundred Eighteen (418), and Four Hundred and Nineteen (419), of the Code, and enact substitutes therefore relating to the number and method of electing members of the Board of Supervisors.

Read first and second time and referred to committee on county and township affairs.

By Senator Horchem, Senate File No. 180, a bill for an act to legalize articles of adoption executed by the Hillcrest Deaconess Home and Baby Fold, located at Dubuque, Iowa, and to legalize the proceedings of said institution relative to the adoption of minors.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Horchem, Senate File No. 181, a bill for an act to place Chiefs of Police under Civil Service in All Cities in Iowa, including Special Charter Cities, which have a Board of Police and Fire Commissioners.

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

By Senator Kingland, Senate File No. 182, a bill for an act to repeal section forty-six hundred twenty-three (4623), Supplement to the Code, 1913, and to enact a substitute therefor, relative to the introduction in evidence of books of account, account tickets, cards of account, account slips, loose leaf accounts and any other method of keeping accounts.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Foskett, Senate File No. 183, a bill for an act to amend the law as it appears in Section Two Thousand Seven Hundred Eighty (2780), Supplement to the Code, 1913, relating to the system of common schools and requiring quarterly publication of expenditures.

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

By Senator Whitmore, Senate File No. 184, a bill for an act to amend the law as it appears in chapter one hundred thirty-three (133), Acts of the Thirty-seventh (37) General Assembly, by making all of the provisions of said act applicable to the shipment of liquors to hospitals, and wine for sacramental purposes to regularly ordained ministers.

Read first and second time and referred to committee on suppression of intemperance.

On motion of Senator Evans, rule 33 was suspended 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 bill in which the concurrence of the Senate is asked:

House File No. 35, a bill for an act authorizing certain cities to establish building lines.

W. C. RAMSAY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to 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 relating to the publication of proceedings of boards of supervisors in foreign language newspapers.

W. C. RAMSAY, *Chief Clerk.*

Also:

MR. PRESIDENT—I am directed to 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 relating to fees to be reported and paid to the county by the county recorder.

W. C. RAMSAY, *Chief Clerk.*

Also:

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

House File No. 84, a bill for an act relating to levy of taxes.

W. C. RAMSAY, *Chief Clerk.*

Also:

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

House File No. 9, a bill for an act relating to powers of cities in levying taxes for park, art and memorial purposes.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 35, a bill for an act authorizing certain cities to establish building lines; to provide for assessing benefits and awarding damages, and notice to be given.

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

House File No. 4, a bill for an act amending section four hundred forty-one (441) Supplemental Supplement to the Code, 1915, as amended by Chapter four hundred and eight (408) Acts of the Thirty-Seventh General Assembly, relating to the publication of the proceedings of Boards of Supervisors in foreign language newspapers, and repealing section five hundred forty-nine (549), 1913, Supplement to the Code, relating to the designation of newspapers for the publication of legal notices, and enacting a substitute therefor, and providing for the publication of legal notices and proceedings exclusively in the English language and in newspapers published in the English language.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 18, a bill for an act to amend section four hundred ninety-five (495) Supplemental Supplement to the Code, 1915, relating to fees to be reported and paid to the county by the county recorder.

Read first and second time and referred to committee on county and township affairs.

House File No. 84, a bill for an act to amend Chapter Three Hundred Forty-three (343), Laws of the Thirty-Seventh General Assembly, relating to levying of taxes.

Read first and second time and referred to committee on ways and means.

House File No. 9, a bill for an act granting additional powers to all cities including special charter cities and cities under commission plan of government pertaining to levying of taxes for park, art and memorial purposes.

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

#### THIRD READING OF BILLS.

On motion of Senator Horchem, Senate File No. 86, a bill for an act to amend section 354-a-18 of the supplement to the Code as to the salaries of Probation officers in counties of fifty-thousand (50,000) or more in population, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

In line 1, of the caption of the bill, the section number be changed to read 254-a-18, instead of 354-a-18. And that in section 1 of the bill, the section number be changed to read 254-a-18, instead of 354-a-18.

Senator Horchem offered the following amendment as a substitute for the third committee amendment:

I move to amend Senate File 86 by striking out the words "and fifty" in line four of section 1 and inserting in lieu thereof the words, "and twenty-five."

The amendment was adopted.

Senator Horchem 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 vote was:

Ayes, 43.

Adams	Foster	Proudfoot
Anderson	Fralley	Rainbow
Arney	Greenell	Ratcliff
Balkema	Haskell	Reed
Ball	Horchem	Rule
Brookhart	Kimball	Schaffter
Broxam	Kimberly	Scott
Buser	Kingland	Smith
Byington	Meredith	Stephenson
Cessna	Mitchell	Stoddard
Coburn	Nelson	Thompson
Edwards	Newberry	Van Alstine
Evans	Parker	White
Fellows	Price	Whitmore
Foskett		

Nays, none.

Absent or not voting, 7.

Hale	Pitt	Taylor
Holdoegel	Shane	Wilson
LeCompte		

So the bill having received a constitutional majority was declared to have passed the Senate.

By unanimous consent, on request of Senator Kimball, the words "of Iowa" were stricken out of line 2, Section 1, and the figures "1913," inserted in lieu thereof; also the figures "1913" were inserted following the word "Code" in the title.

The title as amended was agreed to.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 8th day of February, 1919, sent to the governor for his approval, Senate File No. 62, a bill for an act making an appropriation to defray the expenses of the inaugural ceremonies.

Also:

Senate File No. 37, a bill for an act to legalize the organization, incorporation, acts, transactions, plats, deeds, conveyances, and other instruments and acts executed and done by the Marcus & Amherst Cemetery Association of Cherokee County, Iowa.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### SENATE FILE NO. 27 WITHDRAWN.

By unanimous consent, Senator Buser withdrew Senate File No. 27 from further consideration.

#### CORRECTION OF JOURNAL.

The journal of February 8th was corrected and approved. 3

Senator White moved that all papers and communications sent to the Senate by Governor Harding in the Ernest Rathbun pardon case be printed in the journal.

The motion prevailed.

On motion of Senator Kingland, Senate adjourned until 2:15 p. m. today.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Ernest R. Moore 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 president of the Senate was escorted to the speaker's station and the honorable members of the Senate took seats on the west side of the chamber.

President of the Senate, Hon. Ernest R. Moore, in the chair.

President Moore announced a quorum present.



Senator Price of Monroe moved that a committee of three be appointed to notify the Honorable Nathan E. Kendall that the joint session of the assembly was ready to receive him and to escort him to the speaker's desk. Motion prevailed and the chair appointed as such committee, Senator Price of Monroe, Giltner of Monroe and Saylor of Bremer.

Hon. Nathan E. Kendall was escorted to the speaker's desk. The committee was discharged.

In presenting the Hon. Nathan E. Kendall, President Moore made the following remarks:

*Members of the Thirty-eighth General Assembly, Ladies and Gentlemen:*

We are gathered here today to pay a tribute of respect, of admiration, of gratitude, and of love to one of our country's great men; a devoted father, a good citizen, a self-sacrificing patriot, a capable soldier, a far-visioned statesman and a great president.

He did not represent nor voice the modern trend of that democracy that drives toward chaos, but he held ever high the practical ideals of the framers of the constitution, who, in their wisdom and almost prophetic statesmanship, formed a republic founded on representative government.

It is particularly fitting that we should pay this tribute in these days of uncertainty, and that we should pay it, not only with voice of eloquence, but with a wisdom that is born of experience and the common sense that comes direct from the great mass of an intelligent people.

Iowa, since the early days of her statehood, has held high place in achievement, and her statesmen, her leaders and her spokesmen will live in history. We may well speak with pride of the constructive statesmanship of Grimes, the stalwart patriotism of Kirkwood, the hard-headed business administrations of Gear, the transcendent oratorical ability of Dolliver, and the pre-eminent legal attainments of Cummins. Iowa's place in history is high, and her reputation is safe. Nor may we today feel that we need fall short of the ideals and standards that these men have set for us.

Today it is my privilege and my great personal pleasure to present to you, not to introduce to you, for he is known to many of you, one who once sat and labored in these halls, who presided over the deliberations in this chamber, who has spoken authoritatively in Congress, and who, of all in our state, is the greatest master of polished oratory. Permit me to present to you the Honorable N. E. Kendall of Albia.

HON. NATHAN E. KENDALL.

MR. PRESIDENT—Out of the all-pervading sadness which enshrouds our world and overburdens our hearts, we may be permitted to paraphrase the lamentation of the Psalmist upon the death of Abner:

"Know ye not that there is a prince and a great man in America."

In obedience alike to the command of duty and of desire, the General Assembly of Iowa this afternoon suspends its routine deliberations to consecrate an hour to the commemoration of Theodore Roosevelt. If the ceremonial is unusual, the occasion is extraordinary; for never before in the annals of the Republic has the translation of a private citizen involved the commonwealth of mankind in bereavement so universal and so profound.

The reasonable limitations of this observance prohibit an extended and systematic review of his crowded and complex career. Such rehearsal is the legitimate function not of the incidental eulogist, but of the discriminating biographer; and the subject itself is so vast that whoever approaches it is baffled, as though endeavoring to grasp a globe too large for the hand to obtain a hold. I shall essay the easier employment of indicating some of the outstanding achievements of the man, from which lessons of encouragement and inspiration may be deduced by his countrymen.

"Whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report, if there be any virtue or if there be any praise, think on these things."

Theodore Roosevelt was born on Manhattan Island on October 27, 1858, and died at Oyster Bay on January 6, 1919. He was descended of a splendid ancestry, devoted throughout many generations to plain living and high thinking, and in his veins there coursed the virile blood of diverse nationalities—Scotch, English, Irish, German, French, Dutch—a liberal mingling of vital strains which in every epoch since the crusades has produced men of conspicuous celebrity. He was pardonably proud of his forebears and in his autobiography, that most fascinating record of self-revelment in all our literature, he describes his parents as follows:

"My father was the best man I ever knew. He combined strength and courage with gentleness and tenderness. He would not tolerate in us children selfishness or cruelty, idleness, cowardice or untruthfulness. As we grew older he made us understand that the same standard of clean living was demanded for the boys as for the girls; that what was wrong in a woman could not be right in a man. . . . My mother was a sweet, gracious, beautiful, southern woman, a delightful companion, and beloved by everybody."

His portrayal of his father is an almost accurate delineation of himself, and his delicate compliment to his mother is as gentle and tender as anything ever written by Philip Sydney. This was the stock from which he emanated—none braver, none truer, none better, anywhere. He inherited much of the sturdiness of the Massachusetts Puritan, modified somewhat by the chivalry of the Carolina cavalier, and the admixture in composite was inevitably excellent. It may be confidently assumed that his elementary discipline was exemplary, for in his kindergarten copy-book there was inscribed on the first page:

"An honest man is the noblest work of God."

On the second:

"It is better to be faithful than to be famous."

On the third:

"Tell the truth and shame the devil."

And on the fourth:

"The part well acted—there the honor lies."

No sentiments more wholesome could be addressed to the opening intelligence of an impressible boy, and it is edifying to examine how rigidly these homely but solid maxims became the controlling creed of his subsequent life.

In 1883 he repaired to Dakota in the hope which was realized that the invigorating ozone of the western prairies might rebuild a physique naturally inferior in masculine endurance. With this infinite adaptability which he always displayed to conditions surrounding him, he became in turn scout, hunter, cowboy and ranchman; but in that primitive environment where the restrictive ordinances of cultivated society were necessarily relaxed, he never even momentarily relinquished the fundamental principles of probity and rectitude which he had so deeply absorbed in his youth. The circumstance I am about to relate occurred to him while he was on the plains of the Little Missouri, and he detailed it thirty years later in a classical exegesis delivered before the savants of the Sorbonne in Paris:

"There were no fences in the cow country when I was there. The cattle wandered free, the ownership of each being determined by its brand. If on the round-up an animal was passed by, the following year it would appear as an unbranded yearling, and was then called a maverick. By the custom of the country these mavericks were branded with the brand of the man on whose range they were found. One day I was riding the range with a newly hired cowboy, and we came upon a maverick. We roped and threw it, and the cowboy started to put on my brand. I said to him, 'It's So-and-so's maverick,' naming the man on whose range we happened to be. He answered, 'That's all right, boss, I know my business.' But I said to him, 'Hold on, you are putting on my brand, and the calf is on another man's range.' He replied, 'Oh, sure, I always put on the boss' brand.' I said to him, 'Now you go straight back to the ranch and draw what is coming to you. I won't tolerate a man who steals *for* me any more than I will a man who steals *from* me.'"

There in the isolation of the uninhabited solitude was divulged the intrinsic character of Roosevelt, which all young men everywhere and evermore may well emulate when assailed by temptation. "An honest man is the noblest work of God."

After a varied and valuable experience in the Northwest he returned to the Empire State to prosecute, as he designed, from the cloistered seclusion of his library the tranquil profession of letters which always captivated his fancy. But his associates, old and new, were alert to recognize his exceptional qualifications for the public service, and overriding his modest opposition he was appointed Police Commissioner for the Borough of the Bronx. The giant metropolis, like all her sister municipalities, was saturated with fraud, surcharged with corruption, submerged with graft, and the obstacles to respectable government appeared insuperable. The situation was discouraging enough to appall the most optimistic idealist. The magnificent, imperial city was under the unchallenged mastery of legalized vice and crime, and the servile patrolman divided with the venal politician the infected profits of the unholy combination. To renovate that Augean stable was a herculean task, but the inflexible resolution of Roosevelt never for an instant wavered. The indisputable evidence is that day in and day out, week in and week out, month in and month out, he battled with increasing zeal for decency and reform and righteousness, and never withheld his chastening hand until he had whipped the sordid plunderbund from the seats of authority, even as the Master scourged the usurers from the precincts of the temple. He was derided and reviled and abused and ostracized. His friends deserted him and his enemies threatened him, but neither could mitigate his stubborn perseverance to the resplendent end. "It is better to be faithful than to be famous." He alienated the ward heelers and the gray wolves and the birds of prey, but a sterling constituency, seeing what manner of man he was, transferred him to the Legislature.

There upon a wider theater he encountered all the subsidized emissaries of corporate privilege who had been from time immemorial dictating the enactments of a sovereign state. He fearlessly exposed the bribe-givers and the bribe-takers, the traffickers in special benefits, the hucksters in legislative favoritism, and he defeated their sinister conspiracies against the homesteads of New York in a desperate combat which he conducted almost alone. He told the truth and shamed the devil.

His prodigious and effective labor at Albany attracted the attention of President Harrison, and he was selected to administer the Civil Service which was then in irretrievable disrepute; and although in that capacity he offended a hundred thousand spoilsmen whose conception of a public office was that it was a private snap, we have the testimony of Grover Cleveland who knew beyond all peradventure whereof he spoke that

"He was the fairest, squarest and ablest executive I ever saw in the discharge of a public trust."

It would be difficult to imagine more generous praise from more reliable arbiter. "The part well acted—there the honor lies."

But he was speedily designated for more important and more far-reaching responsibilities. As a subordinate Secretary in the first cabinet of the lamented McKinley he so regvanized and rejuvenated and rehabilitated our neglected navy that we became second in power on the sea, and

the marvelous victories of Dewey at Manila and Schley at Santiago were logical consequences. His eager and intrepid spirit could not, however, reconcile itself to providing ships and supplying guns for other men to sail and shoot, and he organized the Rough Rider regiment for an expedition to the West Indies. San Juan, El Caney, the Cuban campaign—the deathless glory he achieved there is now embodied in the cherished treasurers of the country. He emerged from the Spanish American war with a distinction so well earned and so illustrious that he was nominated by his party as its candidate for the governorship of New York, and he was decisively elected.

In that great office he dedicated himself unreservedly to the public advantage and throughout the pregnant years of his incumbency he extorted from a reluctant general assembly a series of sumptuary, industrial and economic laws which Elihu Root affirmed were without a parallel anywhere for uprightness and efficiency and foresightedness. The vindictive bosses of his own party whom he defied fought him in session and out, with fair weapons and foul, but he operated aboveboard with the whole state for an audience, and they could not defeat the progressive programs he inaugurated. Despairing at last of confounding him at close quarters, they resorted to the artifice of tendering gifts like the fabled Greeks. They determined to relegate him to oblivion by affecting his advancement to the vice presidency in the fatuous delusion that in the vacuous dignity the invincible adversary of entrenched iniquity would be effectively silenced.

How grievously for their own unworthy schemes they miscalculated the sequence of events. In less than a year the murderous bullet of a malignant assassin elevated him to the chief magistracy, even as they were congratulating themselves upon the adroitness of their strategy. Then they predicted his ignominious failure, and exerted themselves with unremitting ingenuity to verify the prediction. The precedents in our chronology were not auspicious even of moderate success. John Tyler, Millard Fillmore, Andrew Johnson, Chester A. Arthur—neither of these had maintained in the presidency his reputation previously acquired in the congress. But of Roosevelt it is no exaggeration to assert that for seven unrivaled years he glorified the nation with a political and civic and moral leadership unprecedented in the calendar of enlightened communities. It was an era of unsurpassed prosperity at home and of unequalled prestige abroad, and he enforced an uninterrupted peace by being always equipped for a contingent war. At home our capital was safely invested at satisfactory returns, our labor was steadily employed at remunerative wages, our enterprise was constantly engaged in creative development, and everywhere beneath the flag we were enjoying the blessings of rational government, faithfully applied. Abroad we were repressing European tyranny, constructing the canal, civilizing the Orient, and demonstrating our postulates of equity and altruism before all the parliaments in Christendom. And all this under the consummate management of Theodore Roosevelt. American citizenship discovered a new significance, and derived a new consideration, for he so impressed the decadent chancelleries of the elder world that the slenderest rights of the humblest Amer-

ican were as secure on the remote Mediterranean as they were in the Mississippi valley. Who can forget his graphic cablegram to the Sultan of Morocco demanding the unconditional release of Perdicaris, the missionary, retained for ransom by Raisuli, the bandit chief:

"I want Perdicaris alive or Raisuli dead."

Within thirty hours Perdicaris was dismissed from captivity and restored to his family. Who was not thrilled by his peremptory warning to Hollenben, the German ambassador, on Tuesday that the Prussian menace against Venezuela must be abandoned by Thursday. On Wednesday afternoon the kaiser's formidable fleet weighed anchor and sullenly steamed for the North Sea. He said what he meant, and he meant what he said, and everybody knew it, and he only had to say it once. Of course, there were critics who professed apprehension at the urgency of his methods and the energy of his measures, but the firesides of America rendered the unanimous judgment of their approval. He was denounced as dangerous, and dangerous he was; dangerous to every form of wrong, to every type of rascality, to every species of crookedness, to every color of sedition, to every semblance of disloyalty. He was accused of insatiable ambition for his own aggrandizement, but the transparent charge contradicts itself when it is remembered that by the implied announcement of a latent willingness he could have prescribed his own preferment in 1908.

I have not attempted in this rapid and summary analysis to aggregate and estimate the service of his official life, and it is needless. As Conkling pronounced of Grant at the Chicago convention:

"His fame is born not alone of things written and things said, but of the arduous greatness of things done."

In the almost century and a third of our national existence we have had twenty-seven presidents by election or by accident, but not all of them have towered incomparably above their contemporaries. We cannot doubt that the judicious and impartial historian—the Rawlinson, the Guizot, the Macaulay, the Bancroft of the future—will admit Colonel Roosevelt as the third into full fellowship with Washington and Lincoln as the mighty triumvirate of our constitutional rulers. For him may be properly appropriated the memorable epitome of Choate at the grave of Webster:

"He produced a body of performance which was all that the first abilities of the country and time, employed with unexampled fidelity, stimulated by the loftiest patriotism, in the highest places of the state, in the presence of the nations, in the fear of God, could possibly compass."

As I said, I have not proposed to catalog the services of Roosevelt, for they are innumerable, but in passing I invite your notice to one by-product of his faculties so peculiar and so individual that it is entitled to a cursory glance. Notwithstanding his manifold activities in the practical affairs which engrossed him, no man has written since Benjamin Franklin who has added so much and so aptly to the vernacular of our common speech as he, and the pungent phrases he evolved have crystallized themselves to be accepted almost as proverbs by his countrymen. Reflect for a moment

how, in imparting the advice which he was always dispensing, he enlarged the resources of our mother tongue. For instance, he taught us to beware of the "professional pacifist;" to "speak softly but carry a big stick;" to practice and exact a "square deal;" to rebuke "pussyfooting;" to discount "weasel words;" to despise the "mollycoddle;" to avoid the "Ananias club;" to help "all men up, not push some men down;" to reprobate with similar scorn the "undesirable citizen" who affiliates with the mob, and the "malefactor of great wealth" who violates the statute law.

All this and more we learned of him during his transcendent presidency, and thereby the tone and temper and tendency of American thought and soul and feeling were immeasurably uplifted and refined and fortified. He was acquainted with everybody from King Edward of Great Britain to Seth Bullock of Cottonwood Gulch, and he was concerned about everything from the location of the North Pole to the number of your children. At his own dinner table he entertained indiscriminately Prince Henry of Prussia and Booker Washington, of Tuskegee; Andrew Carnegie, the steel magnate, and Jacob Riis, the slum worker; Charles W. Elliot, the president of Harvard, and Bob Fitzsimmons, the champion of the prize ring; Cardinal Gibbons, the Catholic, Bishop Cranston, the Protestant, Oscar Strauss, the Jew, and Clarence Darrow, the atheist; and with these promiscuous visitors he discussed interchangeably with astounding facility, art, nature, science, biology, politics, literature, history, theology, botany, sociology and athletics. Champ Clark said the other day that Roosevelt knew more about more things than any man ever tabernacled in human flesh. The world has not recently seen, nor will it probably see again, so many-sided a genius. As Justice Story remarked in his encomium upon Samuel Dexter, so we say of him:

"We may well rejoice that we have lived in the same age, that we have listened to his burning eloquence, that we have been instructed by his disinterested wisdom."

On March 4, 1909, he retired from the government at Washington, saluted by the unstinted applause of the universe; the best known, the best esteemed, the best trusted man, on either hemisphere. While he was acclaimed abroad as the foremost personality of his period, the enthusiastic affection which sustained him at home amounted almost to idolatry. And throughout it all he continued unspoiled and simple; simple as all great men and great songs and great poems and great pictures are simple. Although he had attained the most exalted eminence possible to mortal man, yet from ocean to ocean and from Canada to Mexico, among the high and the low, the rich and the poor, the prominent and the obscure, he was the comrade, the compatriot, the guide, philosopher and friend of all. If he was impulsive, the people relished the spontaneity; if he was spectacular, they sanctioned the exhibition; if he was radical, they indorsed the innovation. And all this because they knew in their innermost consciousness that at the core of his being he was sweet and sane and sound. He was a shepherd who "fed his flock" like the prophet of old—fed it the gospel doctrine of integrity, of helpfulness, of fortitude, of patriotism, of justice; and he found a welcome residence in the sanctuary of a hundred million

American hearts. It is characteristic of our independent electorate that when they really love a man they distinguish him with some intimate appellation which is at once the sign and certificate of their unbounded regard. Thus, General Jackson was "Old Hickory," President Lincoln was "Uncle Abe," Senator Douglass was "The Little Giant," Mr. Blaine was "The Plumed Knight." And so throughout the length and breadth of our expansive continent where his name and his fame were household property, the great commoner, publicist, statesman, soldier and philanthropist, became familiarly "The Colonel," "T. R.," and "Teddy." There was no impropriety in this informality. Everybody united in it, and Roosevelt expected it. He was the most genuine democrat that ever lived. Nobody was displeased that the Chicago bootblack marched by his side in the procession, and nobody was surprised that the University of Oxford conferred upon him its most renowned degree.

When he voluntarily surrendered his jurisdiction to his successor, who was also his disciple, he had accomplished more than any other man since Appomattox to promote the happiness of humanity, and to enlist the gratitude of mankind. It was known that he had fought a good fight, that he had kept the faith, and it was supposed that he had finished his course. But—and I say it with a solemn reverence—the Almighty intended him for a yet greater service, indeed the greatest service of all. We cannot penetrate the inscrutable dispensations of an omniscient Father, but we do believe that there are men commissioned of God today as in the Bible time, and we do know that Roosevelt always acknowledged his allegiance to his Divine Creator. I shall not undertake to elaborate the religious convictions which supported him, but in them there was neither mystery nor uncertainty, nor skepticism. I read day before yesterday that throughout all his versatile career, whether on the frontier plains, or in the city, or in the home, or in the White House, or in the military camp, or in the far interior of Africa, he never composed himself for the night without reciting the little prayer:

"Now I lay me down to sleep,  
I pray Thee, Lord, my soul to keep;  
And if I die before I wake,  
I pray Thee, Lord, my soul to take,"

which he had learned at his mother's knee. Providence knew this man and it preserved him for a further and a final usefulness. In all his busy, strenuous life, the finest contribution of Theodore Roosevelt to the welfare of the world was made after he renounced the prerogatives of official station, and rejoined the ranks of private citizenship. It was by illustrating in himself and by arousing in his countrymen that ancient and indomitable and unconquerable Americanism which in '76 and '12 and '61 and '98 had electrified the world with its militancy, but which had now become so thoroughly chloroformed by the heresies of internationalism that it was almost entirely destitute of vitality. Roosevelt was an American first, last and all the time—not a Scotch-American nor an English-American nor an Irish-American nor a German-American nor a French-American



can nor a Dutch-American, although he was indebted to all those extractions; but a plain and unprefixed AMERICAN. He had neither envy nor jealousy nor hatred nor lingering ill-will toward any foreign land, but he loved his country primarily, secondarily and exclusively. He saw it confronted by a terrible emergency, unfaithful to its own traditions, unheedful of its own obligations, unmindful of its own destiny; and he hurried to avert the irreparable calamity which portended.

No word shall here be spoken in personal contention of partisan controversy, but a just deference to the departed dead whose lips are now forever sealed requires that the unequivocal truth be unhesitatingly proclaimed. We know now that when William the Hohenzollern ordered the invasion of Belgium he embarked upon the initial fulfillment of his mad dream for the subjugation of France, the destruction of England, and the domination of the world. We know now that for three decades the most implacable antagonist of popular government since the first Napoleon had been diligently plotting to enslave the peoples of the earth, and to establish himself as the supreme potentate of the human race. We know now that his infamous project comprehended the complete apotheosis of autocracy, and the utter annihilation of democracy. We know now that the monstrous war which he precipitated without provocation was as essentially a war against us as it was a war against Belgium, or France, or England. We know now that if in 1915 plucky Belgium had been reduced, if in 1916 beautiful France had been prostrated, if in 1917 steadfast England had been overborne, in 1918 the sanguinary emblem of the German empire would have superseded the Stars and Stripes of the American republic on the desolated streets of all our seaboard cities. We know now that it **our** heroic allies had been overwhelmed in Europe, the unprintable, the unspeakable, the unthinkable barbarities which from Brussels to Belgrade outstripped the malevolence of the devil himself, would have been reproduced here, and repeated and multiplied on the soil of every state in our beloved Union. We know now that in the abysmal chaos which would have accompanied that somber eclipse, the men and women and children of Columbia would have suffered precisely the same atrocious fate as the men and women and children of Louvain. We know all this now, after four years of blood and death and hell; but Roosevelt knew it even before the picket line of the Prussian marauders had crossed the Rhine. He was the first man within our broad borders, for many wracking months he was the only man, with prevision enough to perceive and with courage enough to declare that the ascendancy of Germany in the old world prefigured the subjection of America in the new. He saw this with the sagacity and the prescience of a seer, and seeing it, he exhorted the immediate mobilization of every available armament which could be utilized for our immunity. From Maine to California he upraised his clarion voice against the tremendous catastrophe of our unpreparedness which jeopardized our institutions and our liberty, and for nearly three years we rewarded him only by the impatient rejection of his counsel and the malicious impeachment of his motives. We stupidly condemned him as a firebrand, as a disturber, as an alarmist, while we supinely listened to complacent gentlemen who deprecated "nervousness" about hostilities which they insisted were "three thousand miles away." But Roosevelt

was undaunted. He went unflinchingly forward with his uncompromising propaganda, and his utterances in the United States were the equivalent of an army in Flanders. More than any other man, I incline to say more than all other men, he awoke this slumbering America of ours to her impending peril and to her imperative duty. Before we entered the war and afterwards he was a cloud by day and a pillar of fire by night, summoning his indifferent countrymen to the overthrow of the hideous oligarchy which purposed the vassalage of two continents. He spoke everywhere, and his flaming philippics approximated the argument of apostolic revelation. He was filled to overflowing with patriotic fervor, and as Wirt said of Henry, arraigning despotism, "he had only to put out his hand and seize the thunderbolts of freedom as they went smoking by."

But he was a man of performance, as well as of preachment. He sought the opportunity to redeem his words on the platform by deeds in the field, and although he was denied, he sent his four stalwart sons as his blood offering to the great cause; three to survive crowned with wounds and honors, and one to remain forever where he perished in the awful conflict. He gave that which was most precious, and he gave to the uttermost, but he never bewailed. The junior Theodore, Archibald, Kermit—all strove at the battlefield where death was friendliest, and all were decorated for meritorious behavior in the stress of action. Quentin—his favorite, his youngest, his baby—fought in the upper air like an eagle, and like an eagle fighting fell. The great heart sorrowed at the loss, but the great soul exulted in the prowess. In the first chapter of the last book Roosevelt ever published, while the intensity of this tragic anguish must have been most acutely upon him, he said:

"We are fighting for our dearest rights . . . and for the dearest rights of all peoples. . . . Only those are fit to live who do not fear to die, for both life and death are a part of the same Great Adventure. . . . In America today our people are called to service and to sacrifice. . . . All of us who give service or stand ready for sacrifice are torch-bearers. . . . The torches whose flame is brightest are borne by the gallant men at the front who face their fate on the shell-shattered earth, or in the skies above, or in the waters beneath. Honor, highest honor, to those who fearlessly meet death in the Great Cause; no life is so honorable or so fruitful as such a death. . . . These are the torch-bearers who have dared the Great Adventure."

It is no extravagance to say that that sublime extract sounds like David or Isaiah or Saint Paul. It was almost the requiem message of a man who loved, better than he loved himself, his fellow men. He lived to witness the everlasting triumph of right and justice and liberty and democracy for which he so stoutly served and so sorely sacrificed, and then he died. "Now he belongs to the ages." But dead he yet shall live—live as Washington lives, as Jefferson lives, as Lincoln lives; as the choice and master spirit of his time, in the assured immortality of his majestic example.

I cannot better conclude this inadequate appreciation than by adopting the golden tribute of Mr. Secretary Lane, in my opinion the ablest man connected with the present administration. He said:

"Whatever his fame as a statesman, it can never outrun his fame as a man. However widely we may have differed from him in matters of national policy, this thing men in their hearts all wish: that their sons might have within them the will, the strength, the manliness, the Americanism, of Roosevelt. . . . Our boys for the long future will be proud that they are of his race and his country. And no surer fame can come to any man than this—to live in the hearts of the youth of his land as one whose sayings and doings they would make their own."

And this, MR. PRESIDENT and fellow citizens, we fondly believe will be the ultimate verdict of posterity upon this unique, this remarkable, this original, this phenomenal man. Men speak of monuments!

"Nothing can cover his high fame but Heaven;  
No pyramids set off his memory  
But the eternal substance of his greatness,  
To which we leave him."

Theodore Roosevelt, hall and farewell! "The world will be lonesome without you!"

Senator Ball of Jefferson moved that the remarks of the Hon. Nathan E. Kendall be printed in the journal. Motion prevailed.

King of Hardin offered the following resolution:

#### RESOLUTION.

*Be It Resolved by the General Assembly of the State of Iowa:*

*Whereas*, Theodore Roosevelt, statesman, author and hero, concluding a magnificent and noble life, has sought the Great Adventure. Therefore, in view of the interests that every state and every individual has in the life and death of this citizen of the world, it is in every measure fitting that the Thirty-eighth General Assembly, speaking for the state of Iowa and for the people of that state, should in some measure recognize the splendid worth of the great American, and express not only its sorrow at the curtailment of his beneficent activities, but its satisfaction and admiration for his genius and his career.

Theodore Roosevelt was not one of those who are born to sorrow as the sparks fly upward. He was born to endeavor and the joy of endeavor; to labor and the recompense of labor; to accomplishment and the exaltation of accomplishment. Because he was typical of the energy, the striving, the indomitable will that is characteristically American, he is the great American. Typifying their strength, he has made Americans proud of their name.

Now he is one of those who return to the dust. If we do not have the warm vitality of his actual presence, still we have the fresh moulding prints of his strong hand upon the commonwealth, the inspiration of his personal heroism, the strong spur of his energy perpetuated by his pen.

As he preached, he lived, and as he preached and lived, others will endeavor to live. His monument is not of stone, having himself carved it from the world, from men who will live more nearly as he did, from the destinies of nations. He can never die so long as the world, nations, or men exist, for his heart and theirs are too closely bound.

He was that which we all would be; nothing was too great for his activities, nothing too small for his attention or his sympathies. His life actively and perceptibly bettered the world, and its peoples weep for a dear personal friend. As an apostle of righteousness, he had the genius of getting at the hearts and minds of men and had the correct intuition concerning what the people really wanted and ought to have.

He for whom the world was a field for the playing of a great and noble contest, has fared farther in knightly quest. The greatest personality of our time has gone from our midst. But he has shared his great soul with us, and we can never forget, nor ever lose him. While America endures, it will be a better America because he lived and wrought.

Unanimous consent having been granted for the immediate consideration of the resolution, Mr. King moved its adoption. Motion prevailed and the resolution was adopted.

The minutes of the joint convention were read and approved.

Larson of Cedar moved that the joint convention be now dissolved.

Motion prevailed.

#### HOUSE RESUMED SESSION.

The House reconvened, Speaker pro tempore Mantz in the chair.

On motion of Stuart of Emmet the House adjourned until 10:00 a. m. Tuesday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 11, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. P. H. McBeth of Des Moines.

## BILLS SIGNED BY GOVERNOR.

A communication was received from Governor Harding stating that he had, on February 8th, approved Senate Files Nos. 37 and 62.

## PETITIONS AND MEMORIALS.

Senator Anderson presented a petition of citizens of Greene county relative to anti-cigarette law.

Referred to committee on public health.

Senator Arney presented a petition of the Farmers' Co-operative Union, Mt. Pleasant, relative to highways.

Referred to committee on highways.

## LEAVE OF ABSENCE.

On request of Senator Haskell, leave of absence was granted Senators Pitt and Foster on account of illness.

On request of Senator Evans, leave of absence was granted Senator Wilson for the day.

## INTRODUCTION OF BILLS.

By Senator Kingland, by request, Senate File No. 185, a bill for an act regulating the sale of cement in the state of Iowa, by providing for the branding and marking the packages in which same is sold.

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

By Senator Buser, Senate File No. 186, a bill for an act to create an Iowa State Board of Engineering Examiners; to provide for the examination and registration of professional engineers and land surveyors; and to fix penalties for the violation of this act.

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

By Senator Foskett, Senate File No. 187, a bill for an act authorizing cities and towns to erect and equip, or purchase and equip, soldiers' and sailors' memorial buildings, to purchase or condemn necessary grounds therefor, and to issue bonds therefor, and to levy a special tax for the purpose of liquidating said bonds, and for the maintenance of such buildings, supplemental to chapter four (4), title five (5), of the code.

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

By Senator Schaffter, Senate File No. 188, a bill for an act to amend Section eight-hundred ninety-four (894), Supplement to the Code, 1913, in paragraph three (3) thereof, in relation to sewer fund levied annually by cities.

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

#### CONCURRENT RESOLUTION ON RAILROADS.

Senator Taylor called up for consideration House concurrent resolution relating to railroads, found on page 282 of the Senate journal.

On motion of Senator Taylor, the Senate concurred in the resolution.

#### REPORTS OF COMMITTEES.

Senator Parker, from the committee on judiciary No. 1, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 1, to whom was referred House File No. 54, a bill for an act to amend sec. 694-c3, supplemental supplement to the code, 1915, providing the method of submitting the proposition for the establishment of the municipal court, conducting the election, certifying results, appointment and election of judge or judges, clerk and bailiff, and providing the method for filling vacancies

In said offices, etc., 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:

By striking out section 3 of the bill and substituting therefor the following: "Sec. 3. That section six hundred ninety-four-c sixteen. (694-c 16), supplemental supplement to the code, 1915, be and the same is hereby amended by inserting after the period in the 7th line thereof the following:

"Whenever the proposition establishing a municipal court has been or may hereafter be adopted and no officers of such court have been appointed as herein provided, or have been elected at any regular city election, a vacancy in such offices shall be deemed to exist and may be filled as provided in this section."

ADDISON M. PARKER, *Acting Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 134, a bill for an act to regulate the employment of legislative lobby, counsel and agents, to prohibit counsel and agents from attempting to influence members of the general assembly other than by appearance before committees thereof to provide for the return of legislative expenses and prescribing penalties and fixing punishment for the violation of the provision thereof, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Acting Chairman.*

On motion of Senator Parker, the report of the committee was adopted and the bill indefinitely postponed.

Senator Proudfoot, from the committee on Judiciary No. 2, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 2, to whom was referred Senate File No. 42, a bill for an act to amend section 1652-d, supplement to the code, 1913, relating to extinct churches, beg leave to report they have had the same under consideration and recommend the same be amended by striking out the second paragraph of section 1 of said File and inserting the following in lieu thereof:

"By striking out the word 'only' where it appears in Line seven (7) of the Supplement and substituting in lieu thereof the word 'the.' Also by inserting between the words 'fund' and 'except' in line nine (9) thereof the words 'for not less than five years'", and when so amended the bill do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 136, a bill for an act to amend section 5256 of the code, relating to compensation of clerk of the grand jury, 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.

By striking from the title the words "of Iowa" following the word "code" in line 2 thereof and inserting the words "of the" before the word "code"; and that the bill be amended by striking out of line 2 of Section 1, the words "of Iowa" and inserting after the figures "5256" in line 2 of Section 1 the words "of the."

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 113, a bill for an act to amend Section 3174 of the Code, relative to cause for divorce, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 149, a bill for an act to provide that the County Attorney shall be ex-officio County Coroner, that he may delegate certain duties to the Sheriff and County Clerk, and to repeal all acts in conflict herewith, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report of the committee was adopted and the bill 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. 132, a bill for an act relative to fixing and levying assessments for the payment of certain improvements.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relative to recording certain papers of soldiers, marines and sailors.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relative to pensions for survivors of the Northern Border Brigade.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relating to the name of the Reformatory at Anamosa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 legalizing a certain election of the Page County Building and Loan Association of Clarinda, Iowa.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 132, a bill for an act to amend section nineteen hundred eighty-nine-a37 (1989-a37) of the supplement of the code, 1913, as amended by chapter three hundred forty four (344) of the acts of the Thirty-seventh (37) General Assembly.

Read first and second time and referred to committee on Judiciary No. 2.

House File No. 105, a bill for an act to amend chapter one hundred sixty-four (164), acts of the Thirty-seventh General Assembly, relating to pensions for the survivors of the Northern Border Brigade and surviving widows and members thereof.

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

House File No. 17, a bill for an act to provide for the recording of discharge papers of discharged soldiers, sailors and marines.

Read first and second time and referred to committee on military affairs.

House File No. 44, a bill for an act to repeal section fifty-seven hundred eighteen-a4 (5718-a4) of the supplement to the code, 1913, and to enact a substitute therefor, relating to the Reformatory, at Anamosa, Iowa.

Read first and second time and referred to committee on board of control.

#### THIRD READING OF BILLS.

On motion of Senator Broxam, Senate File No. 67, a bill for an act to amend Section two thousand five hundred eighty-nine-d, Supplement to the Code, 1913, relative to the examination of pharmacists, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent the figures "1897" were stricken out of line 12 of the bill.

The bill was read for information.

Senator Broxam 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 vote was:

Ayes, 30.

Adams  
Arney  
Ball  
Broxam  
Byington

Coburn  
Edwards  
Evans  
Fralley  
Greenell

Holdoegel  
Horchem  
Kimball  
Kimberly  
LeCompte

Mitchell  
Newberry  
Price  
Proudfoot  
Rainbow

Ratcliff  
Reed  
Rule  
Scott  
Shane

Smith  
Stephenson  
Stoddard  
Thompson  
Whitmore

Nays, 12.

Anderson  
Euser  
Fellows  
Foskett

Haskell  
Kingland  
Meredith  
Nelson

Parker  
Schaffter  
Taylor  
White

Absent or not voting, 8.

Balkema  
Brookhart  
Cessna

Foster  
Hale  
Pitt

Van Alstine  
Wilson

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

CORRECTION OF JOURNAL.

The journal of February 10th was corrected and approved.

On motion of Senator Rule, rule 33 was suspended for the day.

President pro tem Arney was called to the chair at 11:57.

COMMUNICATION FROM THE SECRETARY OF STATE.

The following communication was received from the secretary of state:

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

A joint resolution was passed by the Thirty-seventh General Assembly proposing an amendment to the constitution of the state of Iowa, by repealing Section 1 of Article 2 of said constitution and the enactment and adoption of a substitute therefor, relating to the right of suffrage, and such proposed amendment be referred to the next general assembly, and that notice thereof be made by publication for three months prior to the time of the election of members of the present general assembly.

This is to inform your honorable body that such publication, as well as other legislative matters referred to this department, were entrusted to one of the most careful employes of the office of the secretary of state, but owing to an oversight of his, the publication of notice of said proposed amendment was not given.

On account of other exacting official duties and the attention necessarily given to subjects connected with the war crisis during the past two

years, the omission of publication was not discovered until it was called to my attention after the general election in November, 1918.

It is said that "It is only human to err," and this mistake, which I most deeply regret, is only another instance to confirm the truism, and for its occurrence I can only ask the kind consideration of your honorable body.

I will add that the intensity of my regret is relieved to some extent by the fact that no one, within or without the state, has ever questioned, on account of this error, the good intention or honesty of motive, of anyone connected with this office.

Respectfully submitted, by

W. S. ALLEN,

*Secretary of State.*

Referred to committee on constitutional amendments.

#### SPECIAL ORDER, SENATE FILE NO. 11.

The time having arrived for consideration of Special Order No. 1, Senate File No. 11, Senator Kimball proposed the following amendment previously filed by him, and moved its adoption:

I move to amend the bill as amended by changing the word "three" to "\_\_\_\_\_" in the form of the bill in the clause "(Vote for three)" immediately following the words "For Township Trustees."

The amendment was adopted.

Senator Greenell offered the following amendment and moved its adoption:

I hereby amend the bill as amended by substituting for the word "chairman" in line 27 of section 4 the word "committee."

Also by substituting for the word "seven" in line 9 of section 12 the word "ten."

The amendments were adopted.

Senator Buser offered the following amendment and moved its adoption:

I move to amend Senate File No. 11 by striking the last sentence from Section twelve and substituting therefor the following:

"In no case shall a county convention make a nomination for an office of a political party designated on the primary ballot for which no person has filed nomination papers as provided in section four of this act, ex-

cept when there is a vacancy occurring after the time for filing of nomination papers for such primary."

Senator Byington offered the following substitute for the pending amendment and moved its adoption:

"I move to strike out the last sentence of section twelve (12)."

On the question, "Shall the amendment offered by Senator Byington be substituted for the amendment offered by Senator Buser?" the vote was:

Ayes, 11.

Broxam	Price	Thompson
Byington	Rule	White
Kingland	Shane	Whitmore
Parker	Stephenson	

Nays, 35.

Adams	Foskett	Newberry
Anderson	Fralley	Proudfoot
Arney	Greenell	Rainbow
Balkema	Haskell	Rateliff
Ball	Holdoegel	Reed
Brookhart	Horchem	Schaffter
Buser	Kimball	Scott
Cessna	Kimberly	Smith
Coburn	LeCompte	Stoddard
Edwards	Meredith	Taylor
Evans	Mitchell	Van Alstine
Fellows	Nelson	

Absent or not voting, 4.

Hale	Pitt	Wilson
Foster		

The substitute was lost.

The amendment offered by Senator Buser was adopted.

Senator Ball offered the following amendment and moved its adoption:

I move to amend the bill by striking out of line six, Section one, the words "Governor, Lieutenant Governor."

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 7.

Ball  
Fralley  
LeCompte

Mitchell  
Price

Proudfoot  
Shane

Nays, 36.

Adams  
Anderson  
Arney  
Balkema  
Brookhart  
Buser  
Byington  
Cesena  
Coburn  
Edwards  
Evans  
Fellows

Foskett  
Greenell  
Haskell  
Holdoegel  
Horchem  
Kimberly  
Kingland  
Meredith  
Nelson  
Newberry  
Parker  
Rainbow

Ratcliff  
Reed  
Rule  
Schaffter  
Scott  
Stephenson  
Stoddard  
Taylor  
Thompson  
Van Alstine  
White  
Whitmore

Absent or not voting, 7.

Broxam  
Foster  
Kimball

Pitt  
Hale

Smith  
Wilson

The amendment was lost.

Senator Price offered the following amendment and moved its adoption:

I move to amend section twelve (12) of Senate File No. 11, by striking out the period following the word "elected" in line twenty-seven (27) on page seventeen (17) and inserting in lieu thereof a "comma" and adding thereto the following: "provided however that any delegate elected who shall be unable to attend any convention shall have the right to appoint by proxy, in writing, a delegate to act in his stead in such convention."

I further move to strike out the words in line sixty-two (62) thereof following "but there shall be no proxies" and place after the word "pre-cinct" in said line a period instead of a comma.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 27.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Broxam  
Byington  
Cesena  
Edwards

Evans  
Fellows  
Fralley  
Horchem  
Kimball  
Kimberly  
LeCompte  
Meredith  
Mitchell

Price  
Proudfoot  
Rainbow  
Ratcliff  
Shane  
Stephenson  
Stoddard  
Van Alstine  
White

Nayes, 18.

Brookhart	Holdoegel	Rule
Buser	Kingland	Schaffter
Coburn	Nelson	Smith
Foskett	Newberry	Taylor
Greenell	Parker	Thompson
Haskell	Reed	Whitmore

Absent or not voting, 5.

Foster	Pitt	Wilson
Hale	Scott	

The amendment was adopted.

Senator Whitmore moved that the Senate adjourn until 1:30 p. m. today.

Senator Kingland offered as an amendment that the time of adjournment be 10:00 a. m. tomorrow.

The amendment was lost.

The motion of Senator Whitmore prevailed and the Senate adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Ernest R. Moore presiding.

Senate resumed consideration of Senate File No. 11.

#### MOTION TO RECONSIDER.

Senator Newberry filed the following motion:

I move to reconsider the vote adopting the amendment offered by the senator from Muscatine.

On the question, "Shall the vote by which the amendment offered by Senator Buser was adopted be reconsidered?" the vote was:

Ayes, 8.

Byington	Newberry	Thompson
Evans	Price	Whitmore
Horchem	Rule	

Nays, 29.

Anderson	Fralley	Ratcliff
Arney	Greenell	Reed
Balkema	Haskell	Schaffter
Ball	Kimberly	Scott
Brookhart	LeCompte	Shane
Buser	Meredith	Smith
Cessna	Mitchell	Stoddard
Edwards	Nelson	Taylor
Fellows	Proudfoot	Van Alstine
Foskett	Rainbow	

Absent or not voting, 13.

Adams	Holdoegel	Pitt
Broxam	Kimball	Stephenson
Coburn	Kingland	White
Foster	Parker	Wilson
Hale		

The motion to reconsider was lost.

Senator Kimball offered the follownig amendment and moved its adoption:

I move to amend the bill by substituting the word "ten" for the word "seven" in line 21 of Sec. 12.

The amendment was 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 vote was:

Ayes, 34.

Adams	Greenell	Price
Anderson	Haskell	Rainbow
Arney	Holdoegel	Ratcliff
Ball	Horchem	Reed
Broxam	Kimball	Schaffter
Buser	Kimberly	Shane
Byington	LeCompte	Smith
Coburn	Mitchell	Stoddard
Evans	Nelson	Thompson
Fellows	Newberry	Van Alstine
Foskett	Parker	Whitmore
Fralley		



Nays, 11.

Balkema  
Brookhart  
Cessna  
Edwards

Kingland  
Meredith  
Rule  
Scott

Stephenson  
Taylor  
White

Absent or not voting, 5.

Foster  
Hale

Pitt  
Wilson

Proudfoot

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. 21 was made a special order for 11:00 a. m. Wednesday.

On motion of Senator Newberry, Senate File No. 10 was made a special order for 10:30 a. m. Wednesday.

On motion of Senator Parker, Senate adjourned until 10:00 a. m. Wednesday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 12, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. R. B. Helser of Newton.

## EXPLANATION OF ABSENCE.

Senator Proudfoot offered the following explanation for his absence on February 11th and desired the same to be incorporated in the journal:

MR. PRESIDENT—Having been called home on account of the death of a client, and compelled to take a train at 2:55 p. m., February 11th, just before the final vote was taken on Senate File No. 11 (the primary bill), I desire the record to show that had I been present on final roll call, I would have voted "aye."

A. V. PROUDFOOT.

February 12, 1919.

## PETITIONS AND MEMORIALS.

Senator Frailey presented a remonstrance of citizens of Fort Madison against the creation of a public utility commission.

Referred to committee on public utilities.

Senator Mitchell presented a remonstrance of citizens of Mahaska county against a bond issue for paved roads.

Referred to committee on highways.

Senator Mitchell presented a remonstrance of citizens of Mahaska county against repeal of the present cigarette law.

Referred to committee on public health.

Senator Ratcliff presented a remonstrance of the M. E. church, Strahan, against repeal of the present cigarette law.

Referred to committee on public health.

Senator Brookhart presented a remonstrance of citizens of Henry county against a bond issue for paved roads.

Referred to committee on highways.

Senator Nelson presented a petition of citizens of Cass county relative to county agents.

Referred to committee on agriculture.

Senator Edwards presented a remonstrance of Luther and Napier Methodist Episcopal churches against the repeal of the present cigarette law.

Referred to committee on public health.

Senator Buser presented a remonstrance of citizens of Letts against hard surfaced highways.

Referred to committee on highways.

Senator Buser presented a remonstrance of citizens of Louisa county against a bond issue for paved roads.

Referred to committee on highways.

#### LEAVE OF ABSENCE.

On request of Senator Stoddard, leave of absence was granted Senator Cessna for the day.

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

On request of Senator Evans, leave of absence was granted Senator Wilson for the day.

On request of Senator Haskell, leave of absence was granted Senator Pitt for the day.

#### EXTRA COPIES OF SENATE FILE 186.

On request of Senator Buser, 500 extra copies of Senate File No. 186 were ordered printed.

#### INTRODUCTION OF BILLS.

By Senator Frailey, Senate File No. 189, a bill for an act authorizing cities and towns to repair street paving, curbing, graveling,

macadamizing or guttering and to assess the cost thereof to the property benefitted.

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

By Senator Frailey, Senate File No. 190, a bill for an act to amend Section eight hundred eighty-seven (887) of the Code relating to taxation in cities and towns.

Read first and second time and referred to committee on ways and means.

By Senator Frailey, Senate File No. 191, a bill for an act providing for pensions to District Judges serving more than twenty years, and having attained an age of seventy years or more, and providing for the terms and exemptions thereof.

Read first and second time and referred to committee on departmental affairs.

By Senator Arney, Senate File No. 192, a bill for an act to provide for purchasing additional land for the Iowa State Fair and for paying paving and curbing assessment against the Iowa State Fair Grounds and to make appropriations therefor.

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

By Senator Arney, Senate File No. 193, a bill for an act to provide for the construction of a cattle barn and sale pavilion on the Iowa State Fair Grounds and to make an appropriation therefor.

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

By Senator Price, Senate File No. 194, a bill for an act to abolish the state hospital for inebriates at Knoxville, Iowa, to provide wards at the state hospital for the insane for the detention and treatment of persons addicted to the excessive use of narcotic drugs, to establish a state normal school at Knoxville, Iowa, and making an appropriation therefor, and for the repeal of all acts inconsistent with the provisions thereof.

Read first and second time and referred to committee on educational institutions.

By Senator Taylor, Senate File No. 195, a bill for an act to repeal section twenty-four hundred one-c (2401-c), supplement to the Code, 1913, and enact a substitute therefor providing for the shipment of intoxicating liquors under the provisions of the wholesale drug act, and providing that said liquors shall be shipped separately from any other merchandise, and providing how said liquors shall be labeled when so shipped.

Read first and second time and referred to committee on suppression of intemperance.

By Senator Coburn, Senate File No. 196, a bill for an act making appropriations for the completion of water works at the State Hospital for the Insane at Cherokee.

Read first and second time and referred to committee on board of control.

By Senator Parker, Senate File No. 197, a bill for an act to repeal Section Five Thousand Twenty-eight-u (5028-u), Section Five Thousand Twenty-eight-v (5028-v) and Section Five Thousand Twenty-eight-w (5028-w) of the Supplemental Supplement to the Code, 1915, relating to accepting or soliciting gratuity or tip.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Parker, Senate File No. 198, a bill for an act to prevent the spread of hog cholera and other diseases; regulating the business of disposing of the bodies of dead animals by the process of cooking, burying, or burning; providing for the issuance of licenses to persons, firms, and corporations, permitting them to follow such business; providing for the inspection of plants where such business is carried on; providing for the violation of any of its provisions and repealing conflicting laws.

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

By Senator White, Senate File No. 199, a bill for an act to repeal Section five thousand seventy seven-A-seventeen (5077-A-17) Supplement to the code, 1913, and to enact a substitute therefor, relating to agricultural seeds.

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

By Senator Whitmore, Senate File No. 200, a bill for an act to amend Chapter Forty-eight (48) of the Acts of the Thirty-sixth General Assembly, relating to sewers under and pavement upon principal streets or highways leading into and out of cities.

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

By Senator Whitmore, Senate File No. 201, a bill for an act to repeal section twenty-four hundred ninety-five-b (2495-b), Supplement to the Code, 1913, and to enact a substitute therefor, providing for the examination, certification and employment of shot examiners and shot firers in coal mines, and defining the duties thereof.

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

On motion of Senator Greenell, rule 33 was suspended for the day.

#### REPORTS OF COMMITTEES.

Senator Foskett, from the committee on appropriations, submitted the following report:

MR. PRESIDENT—Your committee on appropriations, to whom was referred Senate Joint Resolution No. 6, joint resolution making available part of funds appropriated under Chapter 207, Acts of the 37th General Assembly to meet deficiency in fund set apart in Senate Joint Resolution Number Thirteen (13), of the Thirty-seventh General Assembly and to maintain state-federal employment bureau, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 137, a bill for an act to appropriate money to pay the salaries of certain persons who acted as judges and clerks of election in the year 1918 at the various military camps throughout the United States in taking the vote of persons in the military service, and to meet extraordinary expenses of the various commissioners who were appointed to take such

vote, including a per diem for certain commissioners who made a survey at certain camps preliminary to the election, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 138, a bill for an act making an appropriation to meet deficiency in fund appropriated under chapter two hundred sixty-five (265), Acts of the Thirty-seventh General Assembly, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 123, a bill for an act making an appropriation for the purchase of fuel; for the payment of telephone, telegraph, water, light and repairs and for the payment by the Executive Council of expenses for which no appropriation is made, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 29, a bill for an act making appropriations for the erection, repair and improvement of buildings for appurtenances and connections thereto, for furniture, fixtures, furnishings and equipment, for the purchase of land, for the purchase of live stock, farm machinery and equipment, for establishing and maintaining industries, for the purchase of clothing, food, fuel and supplies, and for improvements, equipment and appliances needed in any or all of the institutions hereinafter named, to-wit: Iowa Soldiers' Home, Iowa Soldiers' Orphans' Home, Institution for Feeble Minded Children, State Sanatorium for the treatment of tuberculosis, State Industrial Schools, State Hospitals for the Insane, State Penitentiary, the Reformatory, State Hospital and Colony for Epileptics and the Women's Reformatory, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 60, a bill for an act to amend Chapter 370 of the Acts of the Thirty-seventh General Assembly relating to the appointment and compensation of State Agents by the Board of Control, 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:

Amend by striking out the catchwords at the commencement of each section.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 79, a bill for an act to appropriate \$25,000 as an additional amount to complete the Medical and Laboratory building of the State Sanatorium for the treatment of tuberculosis at Oakdale and for equipment thereof, and also to appropriate the sum of \$3,000 for the purchase of an X-Ray machine for said institution, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Senator Parker, 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. 96, a bill for an act to amend Section One (1) of Chapter Two Hundred Twenty-six (226) to the acts of the Thirty-seventh General Assembly relating to Municipal Courts, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 36, a bill for an act to amend Section Seven Hundred Ninety-two (792) of the Supplement to the Code of 1913, referring to assessing cost of improvements, repavement and disposal of waste material, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.



Senator Coburn, from the committee on agriculture, submitted the following report:

MR. PRESIDENT—Your committee on agriculture, to whom was referred Senate File No. 139, a bill for an act to repeal sections four hundred forty-four (444) and four hundred forty-five (445) of the Code, 1897, relating to stock running at large; also to repeal section two thousand three hundred fourteen (2314) of the Code, 1897, relating to stock running at large, to enact a substitute for said latter section and to provide a penalty for the violation of such substituted section, beg leave to report they have had the same under consideration and recommend the same do pass.

GEO. L. COBURN, *Chairman.*

Ordered passed on file.

### THIRD READING OF BILLS:

#### SPECIAL ORDER NO. 3.

The time having arrived for Special Order No. 3, on motion of Senator Meredith, Senate File No. 10, a bill for an act to amend the law as it appears in section ten hundred seventy-two (1072) and twenty-seven hundred forty-two (2742), Supplement to the Code, 1913, and in section twenty-seven hundred thirty-four-b (2734-b) supplemental supplement to the Code, 1915, relating to the election, compensation and qualifications of the County Superintendent, with report of committee recommending indefinite postponement, was taken up and considered.

Senator Whitmore moved the previous question.

The motion prevailed and the previous question was ordered.

On the question, "Shall the report of the committee be adopted?" the vote was:

Ayes, 30.

Adams  
Anderson  
Arney  
Balkema  
Brookhart  
Broxam  
Buser  
Byington  
Fellows  
Foskett

Fralley  
Greenell  
Hale  
Holdoegel  
Horchem  
Kimberly  
Newberry  
Parker  
Reed  
Rule

Schaffter  
Scott  
Shane  
Stephenson  
Stoddard  
Taylor  
Thompson  
White  
Whitmore

Nays, 15.

Ball  
Coburn  
Edwards  
Evans  
Kingsland

LeCompte  
Meredith  
Mitchell  
Nelson  
Price

Proudfoot  
Rainbow  
Ratcliff  
Smith  
Van Alstine

Absent or not voting, 5.

Cessna  
Foster

Kimball  
Pitt

Wilson

So the report of the committee was adopted and the bill indefinitely postponed.

On motion of Senator Hale, Senate File No. 32, a bill for an act authorizing the Executive Council to sell certain lands belonging to the state and purchase other lands, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

On motion of Senator Hale, the committee amendments found on page 314 of the journal were adopted.

Senator Whitmore offered the following amendment and moved its adoption:

Amend Senate File No. 32 by striking from lines 2 and 3 of section 1 the words "all the real estate above described" and substituting in lieu thereof the following: "All of the following described real estate: Lots one (1), two (2) and three (3) in section eleven (11), Township one hundred (100) North, Range 49, West of the 5th P. M. in Lyon County, Iowa,"

The amendment was adopted.

Senator Hale 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 vote was:

Ayes, 44.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Brookhart  
Broxam

Buser  
Byington  
Coburn  
Edwards  
Evans  
Fellows  
Foskett

Fralley  
Greenell  
Hale  
Haskell  
Holdoegel  
Horchem  
Kimberly

Kingland	Rainbow	Stephenson
LeCompte	Ratcliff	Stoddard
Meredith	Reed	Taylor
Mitchell	Rule	Thompson
Nelson	Schaffter	Van Alstine
Newberry	Scott	White
Parker	Shane	Whitmore
Proudfoot	Smith	

Nays, none.

Absent or not voting, 6.

Cessna	Kimball	Price
Foster	Pitt	Wilson

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 Ball, Senate File No. 42, a bill for an act to amend section sixteen hundred fifty-two-d (1652-d) Supplement Code, 1913, relating to extinct churches, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

On motion of Senator Ball, the following committee amendments were adopted:

Amend by striking out Paragraph 2 of Section 1 and inserting in lieu thereof the following:

By striking out the word "only" where it appears in line seven (7) of the Supplement and substituting in lieu thereof the word "the." Also by inserting between the words "fund" and "except" in line nine (9) thereof the words "for not less than five years," and by adding at the end of said section the following:

By unanimous consent the words "the Supplement" were stricken out of line 2 in paragraph 2 of section 1.

And the words "said section" were inserted in lieu thereof.

#### SPECIAL ORDERS.

On motion of Senator Kimball, further consideration of Senate File No. 42 was postponed until Thursday morning at 10:30.

On motion of Senator Kimball, Senate File No. 21 was made a special order for Friday at 10:30.

#### CORRECTION OF JOURNAL.

The journal of February 11th was corrected and approved.

## IN MEMORY OF ABRAHAM LINCOLN.

In commemoration of the anniversary of the birth of Abraham Lincoln, his famous Gettysburg address was read before the Senate, and on request of Senator Proudfoot, by unanimous consent, the address was ordered printed in the journal.

## LINCOLN'S ADDRESS AT GETTYSBURG.

November 19, 1863.

Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation or any nation so conceived and so dedicated, can long endure. We are met on a great battle-field of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this.

But, in a larger sense, we can not dedicate—we can not consecrate—we can not hallow—this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us—that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.

## RESIGNATION OF COMMITTEE CLERK.

TO THE PRESIDENT OF THE SENATE.

DEAR SIR: Having received a call from my old firm to again enter their employ, I hereby tender my resignation as Committee Clerk to take effect as soon as possible.

Respectfully,

R. S. McDONALD.

The resignation was accepted.

## MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that he

House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 109, a bill for an act relating to the time within which exceptions may be given and motion for new trial made.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 102, a bill for an act making it a misdemeanor to display, carry or exhibit a red flag with the intent to advocate, encourage or incite anarchy or treason, and providing a penalty therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 providing for examination and certification of court reporters.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 17, a bill for an act relating to commitments in juvenile courts.

W. C. RAMSAY, *Chief Clerk.*

Also:

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.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGE CONSIDERED.

House File No. 102, a bill for an act making it a misdemeanor

to display, carry or exhibit a red flag with the intent to advocate, encourage or incite anarchy or treason, and providing a penalty therefor.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 68, a bill for an act providing for the examination and certification of shorthand reporters of the District, Superior and Municipal Courts, and creating a Board of Examiners therefor.

Read first and second time and referred to committee on judiciary No. 2.

#### HOUSE CONCURRENT RESOLUTION.

*Resolved by the House, the Senate concurring, That this general assembly adjourn Wednesday, February 26, 1919, to reconvene on Wednesday, March 5, 1919, at ten o'clock a. m.*

Laid over under the rule.

#### HOUSE MESSAGE CONSIDERED.

Senate File No. 17, a bill for an act to amend section two hundred fifty-four-a20 (254-a20) supplement to the code, 1913, relating to commitments in juvenile courts.

#### HOUSE AMENDMENT.

By striking out all after the enacting clause and substituting in lieu thereof the following:

SECTION 1. That section two hundred fifty-four-a-20, Supplement to the Code, 1913, be and the same is hereby amended by adding after the "period" following the word "charge" in the last line of said section the words: "No child under the age of ten years shall be committed to the Training School for Boys or the Training School for Girls: but such children shall be eligible to admission to the Soldiers' Orphans' Home at Davenport, Iowa, under the laws and rules applying to the admission of other children to this Institution."

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 Des Moines Capital, newspapers published in Des Moines, Iowa.

## THE RATHBUN PARDON.

The following exhibits filed by his excellency, the governor of Iowa, in the matter of the pardon of Ernest Rathbun, of Ida Grove, Iowa, is reprinted by vote of the Senate:

## EXHIBIT "B."

IN THE MATTER OF THE COMMUTATION OF THE SENTENCE AGAINST ERNEST

RATHBUN.

*To the Honorable W. L. Harding, Governor of the State of Iowa:*

I, M. E. Hutchison, judge of the district court of the state of Iowa, for Ida county, and for the sixteenth judicial district, do hereby certify:

That I was the presiding judge at the trial, State of Iowa vs. Ernest Rathbun, and as said judge pronounced sentence upon the defendant, Ernest Rathbun, subsequent to the verdict of the jury finding said defendant guilty; that said sentence so pronounced by me was in accord with the provisions of the indeterminate sentence law of the state of Iowa, said law taking it out of the power of the court to fix other than the maximum sentence.

That taking into consideration the circumstances and the evidence introduced upon the trial, and the record there made, I consider that the life sentence imposed by me as judge of said court is too severe, and would recommend that said sentence be commuted to a period at the discretion of your honor, based upon an abstract of the record which will be filed with you.

Respectfully submitted,

(Signed) M. E. HUTCHISON,  
*Judge of the District Court of Iowa,  
in and for Ida County.*

## EXHIBIT "C."

IN THE MATTER OF THE COMMUTATION OF THE SENTENCE AGAINST ERNEST

RATHBUN.

*To the Honorable W. L. Harding, Governor of the State of Iowa:*

I, J. A. Murphy, do hereby certify that I am a member of the firm, Murphy Bros., attorneys at law, with offices located at Ida Grove, Iowa, said firm consisting of myself and my brother, Raymond Murphy.

That the said Raymond Murphy is a duly elected and qualified county attorney of Ida county, state of Iowa, and is now in the military service of the United States.

That subsequent to his entry in the service I was duly appointed assistant county attorney and duly qualified.

That at the time of the trial of the cause, State of Iowa vs. Ernest Rathbun, I was such assistant county attorney, took charge of the affairs and business of that office, and was in charge of the prosecution of said cause as attorney for the state.

That taking into consideration the circumstances and the evidence introduced upon the trial, and the record there made, I consider that the life sentence imposed by the court under the indeterminate sentence law of the state is too severe, and as such attorney would recommend that said sentence be commuted to a period at the discretion of your honor, based upon an abstract of the record which will be filed with you.

Respectfully submitted,

(Signed) J. A. MURPHY,

*Assistant County Attorney, Ida County, Iowa.*

#### EXHIBIT "D."

##### APPLICATION FOR PARDON.

*To the Honorable W. L. Harding, Governor of the State of Iowa:*

Comes now Ernest Rathbun and petitions your honor to grant him a pardon from the sentence imposed by the Judge of the district court of Iowa, for Ida county, on a verdict rendered by a jury at the November term of said court for the year 1917, said verdict being "guilty" of the crime charged in the cause, State of Iowa, plaintiff, vs. Ernest Rathbun, defendant, and for reasons states:

That at the time this crime is alleged to have been committed by this applicant he was but twenty years of age, born and raised upon a farm in Ida county, Iowa, and was then residing with his parents upon said farm; that the family to which he belongs is a pioneer family of the county of Ida, state of Iowa, and this applicant has at all times maintained a good reputation until this occurrence, which was caused by his getting into bad company, and imprudent acts and conduct of the prosecuting witness and her companion.

##### STATEMENT OF FACTS.

That about nine o'clock in the evening of the 4th day of November, 1917, the prosecuting witness, Elsie Hargens, who is a German girl eighteen years of age, with her companion, Ida Knudsen (both residents of Ida Grove, Iowa), were walking on the sidewalk on their way to the post-office in Ida Grove, Iowa, and at that time saw an enclosed automobile being driven north on the main street of said city. According to their evidence they say this is the first time we saw this automobile, we then proceeded to the postoffice, got our mail, then went south from the post-office to the first corner and on our way saw this automobile driven slowly in the same direction we were going, we waited on the corner until the



automobile came up and the occupants, consisting of this applicant and his companion, asked us to get in, which we did informing them as we were getting in that we had to get home within a half hour and not to leave the pavement.

That the automobile was enclosed and they did not know the occupants; that they drove about the city going off the pavement as they entered old town, a resident populated part of the city extending a distance of about six blocks; that while driving through this populated part of the city there was no protest or objections made by the prosecuting witness or her companion. They continued to drive away from the city proper until they came to the cemetery, about one mile and a half from the city, at which place they stopped. The prosecuting witness and her companion got out and endeavored to crank the car, but failing in this they started walking toward town. The occupants of the car got it started, turned around, and overtook the girls, asking them to get in, which they did. The car was then driven west upon a well-populated street of the city for a distance of two blocks, then in a north-easterly direction to a bridge crossing the Maple river, thence into a lane. That while so driving the prosecuting witness or her companion made no protest or objection. At a short distance into said lane the car stopped and the girls requested the boys to start it but the boys said nothing. Ida Knudsen, who was still sitting in the back seat with this applicant, got out and started home; she went from this point about four blocks through a well-populated part of the city to the Martin Sauer garage. That after arriving at said garage she had a conversation with J. M. Sauer and Dr. Lyon, requesting them to take her home, telling them that her companion, Elsie Hargens, had been "kidnapped," describing where she was. They took the girl home and immediately went to the place she described, but found no one there. Ida Knudson arrived home at nine thirty o'clock that evening, just one-half hour from the time she got into the car near the postoffice.

Elsie Hargens claims in her evidence that subsequent to the stopping of the car in the lane, and subsequent to her companion's departure, the boys took her out of the car, laid her upon the ground, and had sexual intercourse with her by force and against her will, and all the time she was struggling and screaming. That when the boys had completed the sexual intercourse she got up, looked for her hat, one of the boys handed it to her and as she reached for it, it dropped to the ground, one of the boys saying, "I did not mean to drop it." That during all the time the boys were having sexual intercourse with her she knew what they were doing, what was said by them, was conscious at all times, and walked home, arriving there at ten o'clock p. m., just one hour from the time she got in the automobile near the postoffice.

#### ABSTRACT OF EVIDENCE.

##### Cross-examination of Elsie Hargens:

"I left the postoffice that evening at five minutes after nine and went right to the corner above the postoffice where we got into the automobile; it was a Ford enclosed."

Q. Now at the time you got into the car did you know these boys?

A. No sir.

Q. You say one of them got out of the car to assist you ladies in?

A. Yes sir.

Q. You didn't know the boys when they were having intercourse with you?

A. No sir.

Q. When was the first time you had made up your mind that it was Ernest Rathbun and Ray O'Meara?

A. The day they were up in the court house.

Q. That was the day the boys came up to be arraigned?

A. Yes sir.

Q. The same day that Mr. Johnston told you girls to be up there, and pointed the boys out to you?

A. Yes sir.

Q. You never remember seeing these boys before?

A. No sir.

Q. You say you tried to crank the car?

A. Yes sir.

Q. Did you try very hard?

A. No sir.

Q. You just took hold and you were joking with the boys and was trying to crank it?

A. Yes sir.

Q. You were feeling all right at that time?

A. Yes sir.

Q. You and the boys were having a good time, good social time, wasn't you, that is right, isn't it, Miss Hargens?

A. Yes sir.

Q. Then you went on down to the bridge?

A. Yes sir.

Q. You didn't at that time know either of the boys?

A. No sir.

When I started home I crossed the bridge, went east, came down the

first avenue in the old town, across the railroad track, went on east side of Main street, crossed at the Baxter bank, past the postoffice.

Q. Did you stop at the postoffice?

A. No sir.

Q. Who did you meet between the Baxter bank and the postoffice?

A. Didn't meet anybody there at all.

Q. Now on the night of the 4th day of November, 1917, did you not meet a young man between the postoffice and the bank known as Baxter Bros. bank, in Ida Grove, Iowa, between the hours of nine and ten o'clock by the name of Walter Anderson, and did not he come up to you while you were walking between the points designated and say, "Where are we all going." "Can I see you home," you replied and said, "I don't care;" that while going south he says, "Is not this Miss Hargens," you said, "Yes, it is," and then he says, "My name is Anderson." You walked together up to your home and stood out in front, and the conversation that took place there was, "May I have a date with you tomorrow night?", you said, "No, I have to do a big washing tomorrow." He then asked you how Friday night would do and you said, "That will be all right, all right, Friday night." "What will we do?" he says. "We will go to the picture show."

A. No sir.

Q. Did you have it in those words or substance that night?

.. No sir.

I noticed the condition of the ground where the boys laid me down. There was no grass, just leaves. I heard and understood what the boys were saying when they were having intercourse with me and after everything was all over I was looking for my hat and asked the boys where it was; they found it and handed it to me; I reached out for it and it dropped to the ground; one of the boys said, "I didn't mean to drop it." I didn't visit any after this occurred. I came right home, arriving there at ten o'clock. On Monday I stayed down with the folks until around ten o'clock; I waited for Dr. Conn to come up and make an examination of me; then I waited a short while, then went down to Meents and done a washing that day; have been working ever since.

That Walter Anderson, the person referred to in the question asked Elsie Hargens as being the person she met on her way home on the evening of November 4th, the day she claimed to have been raped, was called on behalf of the defendant and testified as follows:

I live in Ida Grove, have lived here all my life, I am acquainted with Ernest Rathbun and Ray O'Meara. I know the prosecuting witness in this case when I see her.

Q. Where did you see her the first time to know her?

A. Coming up from the old town

Q. And where was she when you saw her to know her?

A. Up above the postoffice on that corner.

Q. Then when you first knew her was at this corner south of the postoffice?

A. Yes sir.

Q. How did you come to know her at that time?

A. One of the boys I was sitting with told me it was Elsie Hargens.

Q. Was this the evening of the 4th day of November, 1917?

A. Yes sir.

Q. Now what did you do here?

A. The boys dared me to take her home.

Q. Who was present when that conversation took place?

A. Walter Miller, Luke McCabe and Louis Fuester.

Q. What did you do then?

A. I walked up to her and asked her if I could see her home.

Q. And where did you get in her company first?

A. The corner south of the postoffice.

Q. Did you have any conversation with her?

A. Yes sir.

Q. What was the conversation?

A. I asked her, "If I couldn't see her home?" She said, "I don't care." I asked her, "If her name wasn't Elsie Hargens." She said, "Yes, how did you know?" I said, "Luke McCabe told me."

Q. Then what direction did you go?

A. Went a block west down to Snell's corner, on the Taylor street corner, then a block south, where we stopped.

Q. What did you say to her then?

A. I asked her, "If I couldn't have a date for Monday night." She said "She couldn't very well get away because she was going to wash all day Monday." "I said, "How about Friday night?" She says, "Why yes, I guess so."

Q. Was that the girl you was with? (Indicating the prosecuting witness.)

A. Yes sir.

Q. Was this on Sunday, the 4th day of November, 1917.

A. Yes sir, in the evening, around ten o'clock.

Q. How long did you talk with her there at the house, if you did?

A. Well, I talked, as far as I know, about ten or fifteen minutes.

Q. Now did you see anything in her appearance there that would indicate she had been mussed up or had been in trouble that evening when you came up?

A. No sir. She was absolutely calm and collected after I walked up with her, as far as I know her clothing was absolutely normal and smooth just the same as they ordinarily would be. She was not excited, absolutely normal, and I noticed nothing in the world out of the way with her.

Raymond McCabe, called on in behalf of the defendant, testified as follows:

I have lived in Ida Grove about eleven years, am a son of Luke McCabe

Q. You know this lady sitting here, Miss Elsie Hargens?

A. Yes sir.

Q. How long have you known her?

A. About three years.

Q. Where did you first meet her, or get acquainted with her?

A. She worked for my brother.

Q. Where does he live?

A. He lives on Taylor street in Ida Grove.

Q. Was Miss Hargens a domestic in your brother's home?

A. Yes sir, she was working there.

Q. Do you know Walter Miller, Walter Anderson and Mr. Fuester?

A. Yes sir.

Q. Did you see these gentlemen on the evening of November 4th last?

A. Yes.

Q. Where did you see them?

A. At Barney Johnson's drug store corner.

Q. Did you see Miss Hargens that evening?

A. Yes sir.

Q. Where did you see her?

A. I see her passing under the town clock at Baxter's bank. She was going south.

Q. Was there anything said in your presence and hearing when you boys

were on the corner to Walter Anderson about his crossing the street and walking home with her?

A. Yes sir, we dared him to take her home; he took her home.

Q. Whereabouts, if you know, did he meet her?

A. He met her south of the postoffice, upon the corner where the militia camp was last summer.

Q. Did he walk with her?

A. Yes sir.

Q. What direction, if you know?

A. He went a block west from the corner, then went south not quite a block.

Q. What time of night was it Mr. McCabe, if you know?

A. It was ten o'clock.

That the above testimony of Walter Anderson was further corroborated by Walter Miller and Louis Fuester each testifying in substance the same as Raymond McCabe.

Dr. J. L. Conn, called on behalf of the state, testified as follows:

I am a practicing physician in Ida Grove, Iowa; been practicing for twenty-five years. I know Elsie Hargens and made an examination of her person on the 5th day of November, 1917; examined her sexual organ, it revealed an ordinary condition of her age, it was open enough to have been penetrated. There was no laceration of the sexual organs. I could not form an opinion as to whether sexual intercourse occurred from my examination without taking the statement of the patient into consideration. There was no hymen there. It is a fact that the hymen may be absent even though there has been no sexual intercourse.

Edward Meents, called by the state, testified as follows:

I live in Ida Grove, and am in the bank and land business with A. C. Johnston, partner, and attorney in this case. I know Miss Hargens, she works at my place and stays there at night, and she was working for me on the 4th day of November, 1917. I learned of this matter at about ten o'clock on the evening of the 4th day of November, 1917. I was at her place that night. The next day, Mr. Reinking, Elsie Hargens and myself went out to the place where this crime was supposed to have been committed. I made an investigation of the place, I found the place where it took place.

Q. Did she tell you where it occurred?

A. Yes.

Q. What did you find there now, just tell the jury please the condition of the place.

A. I found a place in the leaves which plainly showed the imprint of a human body. The leaves were pressed down and plainly showed the shape and form of a human body and surrounding the place you could plainly see the leaves hadn't been disturbed.

Thomas McLeod, sheriff of Ida county, Iowa, called on behalf of the state, testified as follows:

I am sheriff of Ida county, Iowa, and was sheriff on the 4th day of November, 1917, and arrested Ernest Rathbun in the city of Ida Grove. I saw the underclothing of the girl, but didn't notice whether it was torn. I didn't notice any scratches or red marks on her neck or bruises on her body; her shin was skinned. That was all the scratches I saw on the girl. I didn't see any marks upon her face or any other marks excepting the one on her shin.

Ida Knudsen, called on behalf of the state, testified as follows:

I live on South Main street, Ida Grove, Iowa. I have lived in Ida Grove two years in April. I am now living with my mother and father. I know Elsie Hargens, have known her as long as I can remember, know where she lives in Ida Grove, and went to school with her. I remember the 4th day of November, 1917. Elsie Hargens came to my home that evening about 7:30 and left with me between fifteen and ten minutes to nine, we went to the postoffice and remained in there four or five minutes.

We left the postoffice together and walked about half block south. When we were going to the postoffice we saw an enclosed car running north by the Armory, then turned east. When we came out of the postoffice we saw it coming south, driving very slow past the postoffice; it stopped at the corner just a very short distance from us. The boys asked to give us a ride. I told them I had to come home in half an hour, they said they would bring us home in half an hour. I told them not to take us off the pavement and they promised they wouldn't. We then got into the car, I got in the back seat with Rathbun. We then started riding, going south two blocks, then east one block, then around town, then through the old town to the cemetery where the car stopped. I got out intending to crank the car. After a while Elsie got out, I tried to crank it; we then started walking and gone a short distance when the boys started the car, they asked us if we wouldn't get in again. I got in the back seat with Ernie Rathbun and Elsie got in the front seat with Ray O'Meara; he said his last name was Johnson, and he was from Denison. We went west from the cemetery about a quarter of a mile to the corner, then came back into the old town, and west again to the rendering works, crossing the Maple river bridge, turned into a lane, the car stopped again; I told them if they wasn't going to get out and crank it I was going home. They did not say anything so I got out.

After I got on the bridge I asked her if she wasn't coming, she said she couldn't. I heard her scream, just a loud shrill scream. I then went to town going east until I came to old town, then south to the garage close to the depot. I saw Dr. Lyon there and a man who works there. I told

them where Elsie was and told them what occurred out there. Dr. Lyon took me home. I was not crying.

At the time we stopped the car at the cemetery Rathbun attempted to kiss me.

I saw Elsie again that night at twelve o'clock in her bed at home. I talked with her. She was not crying and was just laying in bed resting. I could not see her body shaking. Part of her arm was bare, but I did not see any discoloration.

At the time the boys addressed us and asked us to take a ride, I did not know who the boys were and the first time I made up my mind they were the boys was when they were brought up here and were arraigned. I arrived home at 9:30 that evening.

Lowell McShane, being called as a witness on behalf of the defendant, testified as follows:

I live northwest of Ida Grove, Iowa, on William Moorehead's farm. Been living near Ida Grove for ten years. I was at my home on the evening of the 4th day of November, 1917, and saw a car that evening just west of the bridge. "Exhibit 2" where it is marked "bridge" is the bridge I refer to. It wasn't right close to the bridge, it was standing on the road going to W. C. Moorehead's about three or four rods from the bridge; there were four persons in the car, two men and two girls; I passed within three or four feet of the car and heard them talking and laughing; they left about ten thirty. I live in the Moorehead house. I got home that night about nine o'clock. I heard no screaming. After I got home I sat around for awhile before I went to bed. My windows were open. My house is not hidden from the bridge by hill and timber.

The above testimony was corroborated by other witnesses living within the vicinity of this bridge, being the bridge referred to in the testimony of the prosecuting witness and her companion, and being the same bridge from which Ida Knudson in her testimony said she called to Elsie and asked her if she was coming and she replied she couldn't.

That your applicant herein continuing his statement of facts, respectfully submits to your honor the following:

That he lives upon a farm in Ida county, state of Iowa, and belongs to a family that has always enjoyed an unsullied, unstained and enviable reputation. That at the young, immature and irresponsible age of seventeen I joined the Iowa National Guard and shortly after and during the trouble of our government with Mexico we were ordered to the Mexican border. While at the border a phase of life was revealed to me never encountered around or upon the farm. As a young, inexperienced youth I became enamored with the social life both decent and otherwise, which the people are all too willing to thrust upon the soldier, the consequence being I contracted habits to a degree immoral, but all the time considering my acts innocent amusement. I did not appreciate the magnitude of my acts or the effect it would have on my future life. However, notwithstanding my statements herein, I want it understood that the United States gov-



ernment does all in its power to surround its soldiers with good, wholesome amusement, and is in no way responsible for the false step of any of its individual men.

After being upon the border for a period of about one year I was honorably discharged and returned to my home. Still young, I could not throw off the effect of the habits I had contracted upon the border, but on the contrary felt a desire to continue the practice and any encouragement as manifested by the prosecuting witness in this case naturally tended to lead me astray. On the night of the 4th day of November, 1917, my friend, Ray O'Meara, invited me to take a ride with him in his automobile; I accepted and driving past the postoffice in Ida Grove, Iowa, we saw two girls, the prominent figures in this trial, walking along the sidewalk, both of whom we know from past reputation were the kind of girls that would be looking for a "good time" with two young fellows. It did not take them very long to respond to our advances, and without burdening your honor reiterating the evidence adduced upon the trial sustaining and denying the fact of the willingness of the girls, I will say, they both willingly got in the automobile and both were happy and contented riding to the bridge as designated in the evidence in this case, and no unwillingness was evinced by either of them until we got out of the car near the bridge at which place the girl, Ida Knudson, seemed to become alarmed and left.

At this place and at that time I had sexual intercourse with the prosecuting witness and at that time she made no resistance, but responded willingly. The prosecuting witness did not, as she testified in this case, have sexual intercourse with both us boys, and she did not scream or make an outcry of any kind.

I make this statement of what occurred, and this admission to your honor for the reason that it is the truth, that it is right and on the part of manhood to do so. After I was convicted in this case I was approached by the attorneys for the state who assured me that the circumstances surrounding my acts did not warrant a drastic punishment, and thereupon, I told them what occurred, being in substance the same as hereinbefore set forth. After making this statement said attorneys promised to make a recommendation of a commutation of my sentence which recommendation was agreed to by the attorney general.

While I feel it is unjust for me to be charged with having sexual intercourse with a girl against her will and by force, I want to submit to your honor that my act, even with her encouragement, was wrong and I now appreciate the magnitude and enormity of it. I know full well that such indiscreet conduct cannot be classed as mere innocent amusement and the high standard of social decency and morality be maintained. I appreciate fully that if I am confined in the reformatory it will mean a ruined life for me, a reflection upon the good name of my now reputable family, and this is also impressed upon my mind and so permeates my entire system that never will any such act be repeated or occur again. This, your honor, is a statement sincerely made, uttered in good faith, with a full

understanding and realization of what it means, and a promise upon which you can depend.

I appeal to your honor as the chief executive of the state and the only one who can relieve me from the burden and *ignomy* of the sentence imposed. I feel assured that your past acts of generosity and clemency will prompt you to act favorably upon this, my petition for a pardon.

I am further confident that when you have looked into the circumstances surrounding my acts in this case you will be convinced that I am not wholly to blame, but on the contrary, an unfortunate young man bearing the burdens resultant from the indiscreet and imprudent acts of others.

Further, I feel assured you will be convinced that favorable action on your part will result in standing a young man solid on his feet again, put him in position that in the future he may fight as a soldier for his country with the same zest, the same zeal and the same unqualified patriotism that he did in the past.

Respectfully submitted,

(Signed) ERNEST RATHBUN.

State of Iowa, County of Ida, ss.:

Ernest Rathbun, being first duly sworn, upon his oath deposes and says that he is the applicant named in the foregoing application, that he has read the same, knows the contents thereof, and the same is true.

(Signed) ERNEST RATHBUN.

Subscribed and sworn to before me, this 6th day of November, A. D. 1918.

JOHN T. PETERSON,

*Notary Public in and for Ida County.*

SEAL.

(Certified to by clerk.)

ARGUMENT OF GEORGE H. CLARK, ATTORNEY FOR THE DEFENDANT.

The principle of law governing the crime of rape is that the defendant must ravish and carnally know the female by force and against her will. The supreme court of this state has wisely said, "it is the better rule to admonish the jury as to the difficulty of disproving the charge."

In this day and age when the sex mingle indiscriminately together and with unbridled freedom, it makes it very easy where some ulterior object is to be obtained to charge a young man with the crime of rape, and on the other hand renders it very difficult for him to disprove it. On this account the courts have almost universally held it incumbent upon the state to prove the element of "force" and "unwillingness" by evidence much more conclusive than required in other class of criminal cases.

I call your honor's attention to the words of some of our supreme judges of this state, viz.:

"Any acts on the part of the prosecutrix from which consent can be inferred is admissible."

"The absence of any marks of violence, or of outcries, etc., may be considered as against the evidence of the prosecutrix."

The jurors were instructed that, in order to convict, they "must be satisfied from the evidence, beyond a reasonable doubt, that he had carnal knowledge of the said Rachael Gross forcibly and against her will, and that she did not yield her consent during any part of the act. To constitute the crime of rape the will of the female alleged to have been outraged must have been overcome by force. If she consents in the least during any part of the act, there is no such an opposing will as the law requires to convict on the charge of rape."

I submit your honor that all the evidence in this case goes to show that the prosecutrix consented, was willing and even courted sexual relations with this defendant. That there was no marks of violence and that her testimony of outcry and screaming was successfully disproved.

I submit your honor that the material elements constituting the crime of rape has not been proven in this case. I am satisfied the defendant was convicted by a jury prejudiced and unimpartial. Not prejudiced, if your honor please, in the sense of acting from malice, not prejudiced as men would be as against a known and hardened criminal, but prejudiced in favor of a girl, because she was a girl, and on account of this prejudice unable to give the evidence fair and impartial consideration.

I want to specially call your honor's attention to the fact that this is a young man as near clean of mind and heart as the usual young American. He is not a criminal or has he the temper or disposition of one. This young man has the future all before him and the lesson he has here learned will be of lasting benefit to him, while if he be confined and imprisoned it will ruin his entire life. I know your honor is in accord with the modern tendency to exert all the power of the state to make honest, upright and industrious citizens out of the criminal and those charged with crime. I think you will agree with me that this is a case wherein your action will result in incalculable good to this young man and will not in any way impair the good of society in general.

Respectfully submitted,

(Signed) GEORGE H. CLARK,  
*Attorney for Defendant.*

EXHIBIT "E."  
IN THE SUPREME COURT OF IOWA  
September Term, A. D. 1918.

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State of Iowa, Plaintiff and Apellee,	}	At Law.
vs.		
Ernest Rathbun, Defendant and Appellant.		

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APPEAL FROM IDA COUNTY DISTRICT COURT, HON. M. E. HUTCHISON, *Judge Presiding.*

---

J. A. MURPHY, *County Attorney*; A. C. JOHNSON, CHAS. S. MACOMBER and  
JAMES W. KINDIG, *Attorneys for Apellee.*

---

GEO. H. CLARK, M. M. WHITE, CAMPBELL & CAMPBELL, *Attorneys for Appellant.*

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APPELLANT'S ABSTRACT OF RECORD.

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Due, legal and personal service of the within Abstract of the Record and notice of oral argument is hereby accepted and the receipt of true copies thereof is hereby acknowledged this.....day of June, A. D. 1918.

.....  
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*Attorneys for Apellee.*

On the 27th day of November, 1917, a bill of indictment was found by grand jury of Ida county, Iowa, charging the defendant, Ernest Rathbun, with the commission of the crime of rape, the same being filed in the district court of the state of Iowa, in and for Ida county upon said date, and was as follows, to-wit:

In the district court of Iowa, in and for Ida county.

The state of Iowa against Ernest Rathbun, indictment:

The grand jury of the county of Ida in the name and by the authority of the state of Iowa, accuses Ernest Rathbun of the crime of rape, committed as follows:

The said Ernest Rathbun on or about the 4th day of November in the year of our Lord, one thousand nine hundred and seventeen, in the county and state aforesaid, did wilfully, unlawfully and feloniously assault, ravish, carnally know, abuse, and have sexual intercourse with one Elsie Hargens,

by force and against the will of the said Elsie Hargens, she, the said Elsie Hargens, then and there being a female over the age of fifteen years.

J. A. Murphy,

Assistant county attorney of Ida county, Iowa.

Attached to said indictment is the testimony of the witnesses for the state, including the testimony of the prosecutrix, Elsie Hargens and Ida Knudsen being the two girls who claimed to be in the car with the defendant, and is in part as follows:

Elsie Hargens, Ida Grove, Iowa: Being duly sworn, says she is working at Ed Meents, lived in Ida Grove, 4 years, lived 4 miles south of Battle Creek, have known Ida Knudsen several years, went to Ida Knudsen's house at 7:30 Nov. 4, 1917. Was there until 8:45 p. m. Went to postoffice. Saw automobile at postoffice. Car stopped, asked us to take a ride. It was Ernest Rathbun and Ray O'Meara. Ford car. Went south, then east, then south, then north over bridge to old town.

Elsie Hargens.

State of Iowa, County of Ida, ss.:

Ida Knudsen, being duly sworn, says she resides in Ida Grove, Iowa. Fifteen years of age. Have known Elsie Hargens all my life, at home at 6 o'clock, Nov. 4th, 1917, Sunday. Left house at 15 minutes of nine o'clock, Nov. 4, 1917. Two men in automobile, didn't know them, asked to take ride, first refused, got in car with them, went to near the rendering works, heard Elsie scream, got out of car and started home, called Ida by name. I went home, went to garage, met Dr. Lyon, who took me home. Saw Elsie in bed, she walked home, was nervous, came home about 9:30 p. m.

Ida Knudsen.

Subsequent to the indictment being returned a bench warrant was issued and the defendant was arrested, arraigned and plead not guilty. Cause was set for trial, and commenced upon the 17th day of December, 1917, being one of the regular days of the November, 1917, term of said district court. Jurors were examined for cause, among which was the examination of J. W. Brown, who upon being examined for cause stated in part as follows:

\* Examined on behalf of the defendant by M. M. White.

Q. Mr. Brown, how old are you?

A. Fifty-one.

Q. Lived in Kentucky most of your life did you?

A. Until I came here.

Q. And you say you have read something about this case?

A. Yes sir.

Q. And heard it talked some?

A. Some.

Q. You say you haven't formed any opinion about it?

A. No.

Q. No opinion one way or the other?

A. No, I have no opinion.

Q. Well, you have expressed an opinion, haven't you, Mr. Brown?

A. Only in one way. I most always do, like anyone else I suppose that reads anything. Fellows say if so and so is so, they would be liable to express an opinion wouldn't they? I do.

Q. And you expressed one.

A. Yes, I talked to one man some.

Q. Yes, and talked to him quite a little didn't you?

A. Oh not very much.

Q. Well, you got to the shot-gun stage, didn't you?

A. No, no, I didn't.

Q. Didn't you tell a man right in this court room right back here sir, that this boy ought to be shot, or words to that effect?

A. I said there had been people shot for similar things, yes, I said that.

Q. And yet you want us to believe that you haven't got any opinion either way as to the guilt or innocence of this boy?

A. According to the evidence always.

Q. Well, you talked about a shot-gun didn't you?

A. Well, I don't remember, we might have said something about a shot-gun.

Q. Well, it was you said it wasn't it?

A. I guess it was, I said there had been cases of that kind done.

Q. Mr. Brown, you had some feeling in this matter when you were talking about the shot-gun didn't you?

A. Yes, yes, I did.

Q. Now I am asking you, sir, if it wouldn't take evidence to change that feeling?

A. Yes, it would?

Q. That it would take evidence to change, isn't that true?

A. Well, now, it is just like this: We were talking, you know, when this first happened and I believe that I made the remark that there had been cases of this kind where I came from that they wouldn't hardly fool with trials.

Q. No, they would use the shot-gun?

A. Yes, I think I made that remark.

That a jury was chosen, sworn, and at the request of the court, James W. Kindig, assistant attorney general, assisting the county attorney and one of the attorneys of record for the state, made the opening statement to the jury, and in said opening statement his demeanor, and statements, subject to the objections, were as follows:

In addressing the jury he read the indictment, then says:

I am very briefly, very briefly, going to tell you the testimony or the evidence upon which the state expects to support this indictment.

As you gentlemen already know because of your experience in court, and as the court will tell you, you are going to try this case upon the evidence and upon the law as the court shall give it to you.

The testimony on the part of the state will be that this prosecuting witness, Elsie Hargens, at the time of the commission of this crime, was about seventeen years of age, I believe, that she was living here in Ida Grove, formerly had been living out here in the country; that she was living here with her people, I believe, working at the same time at a neighbor's home. The 4th of November, 1917, was Sunday, and the defendant upon that Sunday afternoon, the evidence of the state will show, together with one O'Meara, in a Ford automobile, picked up about somewhere around about seven o'clock in the evening—I will not be exact about the time now, two women in Ida Grove, and drove them out in the country to a school house about five miles.

Mr. Clark: Wait, now, if the court please, we object to that as improper and misconduct on the part of counsel for the state.

The Court: Of course the court can't at this stage determine as to the relevancy or materiality of testimony of this kind.

Mr. Kindig: If it will assist the court any I will say that the purpose of it is to identify these defendants and show their whereabouts in this community at this time.

Mr. Clark: The same objection.

Mr. Kindig: And their intent.

Mr. Clark: The same objection.

Mr. Kindig: And their scheme and purpose in doing the thing they were engaged in at that time.

Mr. Clark: The same objection to the remarks.

The Court: Of course wholly independent transactions could not be shown in a case of this kind as I view the law at this time; as to whether they are so related to one another that they are not independent, of course the court don't know and can't tell at this time.

Mr. Kindig: As I said—

Mr. White: Just a moment. If the court please, we renew the objections already made and claim that the remarks are improper and constitute misconduct of counsel for the reason that it already appears that he is talking about a matter other than that connected with the prosecuting witness, it already appears that the prosecuting witness was not and is not one of the women to which he now refers.

The Court: There has been nothing said further than that they were with the women at this time.

Mr. Kindig: If it please the court we expect to support our contention by ample authority that for the purpose of identification and showing the whereabouts of these men at this time for the purpose of showing their common scheme and purpose and intent that the testimony I am talking about will be absolutely competent and material.

Mr. Clark: We make the same objection to the remarks to the court in relation to this same matter in the presence of the jury.

The Court: That which has been said may stand.

Defendant excepts.

Mr. Kindig: As I was saying, these men at this time started out with this automobile, that they drove, I think, about five miles south of town and stopped at the school house, and because these women that they had with them wouldn't submit to their desires they were thrown out of the automobile—

Mr. Clark: Wait, Mr. Kindig, we make the same objection as heretofore made to the remarks made to the jury by counsel for the state.

The Court: Now, Mr. Kindig, if you will just refrain from referring to that at this time until we can take up the law of that question, and I will say at this time that the jury isn't to regard this statement with respect to that which may have taken place at this school house for any purpose unless the court hereafter permits such testimony to be introduced. You may proceed.

Mr. Kindig: These men then returned to Ida Grove, Iowa.

Mr. Clark: Now the same objection, if the court please, to the remarks just now made, referring to the same conversation as being improper and misconduct on the part of the attorney for the state.

The court: You may proceed.

Defendant excepts.

They were seen driving around the streets of Ida Grove, Iowa; they were talking to people here in Ida Grove, Iowa; they were talking to women and talking to men—

Mr. Clark: Same objection as heretofore made.



The Court: Proceed. Defendant excepts.

Mr. Kindig: Then they drove up near the postoffice in this city, at which time this prosecuting witness and Ida Knudsen were coming out of the postoffice. They drove this car up to the postoffice and spoke to these girls, and asked them to go riding; they refused to do so saying that they had to be home, I think, in a half hour; they then promised the girls that if they would go riding they would get them home in half an hour, and that they wouldn't go off the pavement. The girls got in the car, one in the front seat and one in the back seat, one of the boys in the front seat and the other in the back seat, and they started driving around the city here; they drove, I believe, off the pavement and the girls suggested that they had done so, and I think they made some remark to the effect that they didn't know the town very well, and that they would get back on the pavement, or something to that effect. They then went out and stopped at the cemetery, or some where near there. The girls asked them to start the car again and they wouldn't do it; I think, I am not sure which girl, but one of the girls, then got out of the car and went around to try to crank it, the other girl then got out and they both started back to town, then one of these boys, either the defendant or O'Meara, got out and cranked the car, and they came up to where the girls were and told them if they would get in the car they would take them to town. The girls at that time got into the car, but the defendant and his pal, O'Meara, did not take the girls back to town, but they started off the opposite direction to what is known as the rendering works, here, I believe, across the bridge over the Maple river there, and ran the car up to the bank and stopped again. The girls immediately asked them to get out and crank the car and take them home; they refused to do it; Ida Knudsen opened the door and got out of the car, and as she was leaving the car the fellow O'Meara, who was in the front seat with this prosecuting witness, grabbed ahold of her and wouldn't let her leave the car, and when Ida Knudsen had gotten possibly to the bridge, a very short distance, she could hear the screams of this prosecuting witness. Ida was so frightened, the testimony will be, that it was her idea and purpose to go back to Ida Grove to get someone to come to the rescue. Ida did go back to Ida Grove and she stopped, as she will tell you, I believe, at the first place she saw open, which was the garage down here; she told Dr. Lyon and another witness, perhaps Mr. Sauer, about it; they hurried her into an automobile and took her home, and I believe then rushed out here to the scene, but when they had gotten there these fellows had gone.

When Elsie Hargens commenced screaming this man O'Meara grabbed her by the throat and choked her until she stopped. I think about this time he had his person over onto her, and she screamed as soon as her throat was released, and each time she screamed he put his hand at her throat.

Then the defendant in this case, Rathbun, got ahold of the girl and the two of them lifted her out of the automobile and threw her down there upon the ground; one of the boys when the girl was lying upon the ground took her arms and folded them back across her breast in about this

fashion, and he on his knees held her so she couldn't move, and the other fellow walked around to the front of the girl, pulled up her clothing and tore her underclothing, virtually tore that off of her, tore her stockings off of her, exposed his own person and pulled her legs apart and had sexual intercourse with her; and after he had finished that job he got up and went around and took the girl's hands and held them up over her breast while the other fellow went and did the same thing.

That, gentlemen of the jury, is what the testimony will be in this case.

#### STATE EVIDENCE.

Ida Knudsen, called as a witness on behalf of the state, being duly sworn, testified as follows:

#### DIRECT TESTIMONY.

I live on South Main street in Ida Grove, Iowa, was fifteen years old June 9th, have lived in Ida Grove two years in April. Before coming to Ida Grove I lived nine miles southwest from here; my father's name is Matt Knudsen and my mother's name is Emelia Knudsen, I am now living with my mother and father, I know Elsie Hargens, have known her as long as I can remember, and know where she lives in Ida Grove, and went to school with her. I remember the 4th of November, 1917. I was going to school in Ida Grove at that time, I was home in the forenoon of that day, but went out into the country just before dinner with my father, mother and brother in an automobile. I returned to Ida Grove at six o'clock in the evening with my father and mother, and went home. I left home between fifteen and ten minutes to nine. I was not out of the house between six o'clock until ten or fifteen minutes to nine.

Elsie Hargens came to my home that evening about half past seven and left with me between fifteen and ten minutes to nine, she was not out of my house from the time she came there until ten or fifteen minutes to nine, at that time she started for Ed Meents', where she works, I left the house with her and we went to the postoffice and remained in there four or five minutes, reading a paper. We left the postoffice together and walked about a half block south. When we were going to the postoffice we saw this car running north by the armory then turned east. When we came out of the postoffice we saw it coming south driving very slow past the postoffice. It driving very slow attracted our attention, it was a Ford car enclosed, it stopped at the corner just a very short distance from us.

Q. Did you go up to the car?

A. No sir, not right away.

Q. Did Elsie go up to the car?

A. No sir.

Q. Did you finally go up to it?

A. Yes sir.

1. Why?

A. Because they asked to give us a ride.

Q. Who asked to give you a ride?

A. I do not know which of the boys.

Q. Which of which boys?

A. O'Meara and Rathbun.

The first thing they asked us didn't we want to go riding? I told them I had to be home in half an hour. They said they would bring us home in half an hour, I told them not take us off the pavement and they promised they wouldn't. We then got into the car, I got in the back seat with Rathbun.

Q. By Rathbun do you mean the defendant Rathbun sitting back of this table here?

A. Yes sir.

Q. Who was in the front seat?

A. Ray O'Meara.

Q. With whom was he?

A. With Elsie Hargens.

Q. Was the doors shut at that time?

A. Yes.

Q. Who shut the doors?

A. Why, Rathbun shut the back door, but I will not tell whether Elsie Hargens or O'Meara closed the front door.

We then started riding, going south two blocks, then east one block, east of this court house, then went down to Main street, then through the old town to the cemetery, and Ray O'Meara stopped the car; up to that time the boys had said nothing that was in any way immoral or out of the way.

When the car stopped at the cemetery I got out intending to crank the car; after a while Elsie got out, I tried to crank it, we then started walking and had gone a short distance when the boys started the car, they asked us if we wouldn't get in again and they would take us home, we got in the car. I got in the back seat with Ernie Rathbun and Elsie got in the front seat with Ray O'Meara, said his last name was Johnson and he was from Denton.

We went west from the cemetery about a quarter of a mile to the corner, then came back into the old town, went west again to the rendering works, crossing the Maple river bridge, turned into a lane, the car stopped again, I told them if they wasn't going to get out and crank it I was going home.

They did not say anything so I got out and ran. When I got out O'Meara grabbed Elsie by the shoulders. I ran east. After I got on the bridge I asked her if she wasn't coming, she said she couldn't. I heard her scream, just a loud shrill scream, I then ran to town, going east until I came to old town, then south to a garage close to the depot. I saw Dr. Lyon there, and a man who works there, I told them where Elsie was and told them what occurred out there. Dr. Lyon then took me home, I was not crying, but had been running hard, was scared and out of breath.

It was four or five minutes after nine. Just before we got into the car I looked at the clock.

I saw Elsie again that night at twelve o'clock, in her bed at her home, I talked with her, she was not crying, she was just laying in bed resting. I could not see her body shaking, I could see one of her arms shaking, part of her arm was bare but I did not see any discoloration.

Q. After that when did you next see the defendant Rathbun?

A. I did not see him until the other day up here in the court room.

Q. What day?

A. I do not know the date.

Q. In reference to the time the grand jury was here what time?

A. In the morning.

Q. You mean the morning after, or the morning before?

Q. Where did you see him?

A. Almost the place where he is sitting now.

Q. State whether or not that is the person who was with you in the car that night.

A. It was.

Q. State whether or not these occurrences you have related occurred in Ida county, Iowa.

A. They did.

Q. When you stopped at the cemetery what did Rathbun do?

A. He attempted to kiss me.

Q. State whether or not you permitted him to kiss you.

A. I did not.

CROSS-EXAMINATION (GEO. H. CLARK).

I came down town with Miss Hargens alone about nine o'clock to the postoffice. It was a bright night, very light out. Some boys, driving a Ford car, called to us to get in the car, we got in. The car was enclosed and looked like it had been used a long time, was an old car. At the

time the boys addressed us and asked us to take a ride I did not know who the boys were, we drove out to the cemetery and the car stopped. Rathbun attempted to kiss me. Both of us got out of the car to help crank it, I tried to crank it, but didn't get it started, I was at the front of the car but could not tell anything about the lights, the tires or the kind of a radiator, I thought the boys were not going to get the car started, I remarked to the boys that I guess they couldn't get the car started and would walk home. Then both of us started to walk home. The boys finally got the car started, then they turned it around and we got in, I got home just before half past nine.

Q. How did you come to be at the court house on the day that you saw Mr. O'Meara and Mr. Rathbun here?

Mr. Kindig: We object to that as not proper cross-examination. Entirely immaterial and irrelevant why she happened to be at the court house.

The Court: You may answer. State excepts.

A. I was asked to come up here.

Q. Who asked you to come up?

A. Lawyer Johnston.

Q. He asked you to come up here and see if those were the boys, didn't he?

A. Yes sir.

Q. Did he point these boys out to you?

A. Not when they came in.

Q. Well, before they came in?

A. He did not. I was in here before they came in.

Q. And after they came in didn't he point them out to you?

A. No sir, he came up to me and asked me if I recognized them.

Q. Well, they came in, didn't they?

A. Yes sir.

Q. Then he asked you if you recognized them?

A. Yes sir.

Q. Didn't you see any other boys around there at that time?

A. There were some boys.

Q. Who were they?

A. I do not know.

Q. Were there any of the boys inside here at that time besides those two boys?

A. Not in here, not in this place.

Q. Elsie was here at that time, too?

A. She was.

Q. Who was present when Mr. Johnson told you to be up there to identify these boys.

A. He called down to my home and asked me to come up.

Q. By telephone?

A. Yes sir.

Q. That was the time the boys were brought up here and arraigned, that is, one of the boys came out and sat in a chair and the court asked them some questions?

A. Yes sir.

Q. That was the time you was here when Mr. Johnston told you to come up and identify them?

A. Yes sir.

Q. That is the first time you saw these boys after the occurrence?

A. Yes sir.

Q. And the first time you made up your mind they were the boys?

A. Yes sir.

Q. Have you been up in Johnston's office?

A. Yes sir.

Q. You have talked to him about this case?

A. Yes sir.

Q. And talked to him about what your testimony was going to be?

A. Yes sir.

And he told you what to say did he not?

A. He did not tell me what to say.

Q. But you talked to him about it and in his office. Was there any person present there besides Mr. Johnston?

A. Yes sir.

Q. Who were they?

A. The state attorney and the two state detectives.

Q. Mr. Macomber wasn't there?

A. No sir.

Q. Nor Mr. Murphy?

A. No sir.

Q. Did you ever have any talk with Mr. Macomber or Mr. Murphy in relation to this case?

A. I did not.

Q. Was you in Mr. Johnston's office more than once in relation to the testimony that you was going to give in this case?

A. I was.

Q. How many times was you there?

A. Four or five times.

Q. And were the same four persons present at each time?

A. No.

Q. Was Mr. Kindig present at all these talks?

A. No sir.

Q. Was these detectives present at these talks?

A. Not every time.

Q. Did they have something to say about the law suit, too?

A. Yes sir.

#### RE-DIRECT EXAMINATION.

Q. When you were in Johnston's office at these various times were you told what to testify to in this case?

A. I was to tell the truth.

Q. Do you know whether the Ford car you was in that night with Rathbun and O'Meara, as you say, was a 1917 model or not?

A. I do not know.

#### RE-CROSS EXAMINATION.

The sheriff was at my home that evening and came down to Hargens with me, but was not there when I was there. The persons present when I was there was Mr. and Mrs. Hargens, Elsie and her younger sister, Norma.

I have lived in Ida Grove two years. Started in the eighth grade and am now in the freshman grade of the high school.

Q. Were you familiarly acquainted with the football boys of the high school?

Mr. Kindig: That is objected to as not proper cross-examination and immaterial.

The Court: Sustained. Defendant excepts.

Q. How long have you been going to school here; ever since you have been here?

A. Yes sir.

Q. And you attended the football games of the high school?

Mr. Kindig: Same objection.

The Court: Sustained.

J. M. Sauer, called as a witness on behalf of the state, testified as follows:

I have lived in Ida Grove thirty-three years, was engaged in the automobile business in November, 1917. I remember Sunday, November 4, 1917, and I remember the occasion of Ida Knudsen coming into my place of business on the night of that day between twenty minutes after nine and twenty-five minutes of ten. Dr. Lyon and a gentleman working for me was there at the time.

Q. She came into your place of business?

A. Yes sir.

Q. State whether or not she told you where Elsie Hargens was?

Mr. Clark: We object to that as incompetent, irrelevant, immaterial and hearsay.

The Court: You may answer, Defendant excepts.

A. Yes sir.

Q. Where did she say she was?

Mr. Clark: The same objection.

The Court: Of course, there is no evidence of where the Hargens girl really was. It would be hearsay as to that fact, but only showing what the former witness said and did I will receive it. Defendant excepts.

Mr. Kindig: That is the purpose in offering it.

The Court: Go ahead. Defendant excepts.

A. She said she was some place around the rendering works, with two gentlemen in a car or some place about there.

Q. State whether or not at that time Ida Knudsen was running, had been running?

Mr. Clark: We object to that as incompetent, irrelevant, immaterial, hearsay, self-serving declaration and a conclusion.



The Court: You may answer if you know, if you saw. Defendant excepts.

A. Why she came into the garage in a hurried condition.

Q. What was her condition as you observed it at that time?

Mr. Clark: Same objection.

The Court: You may describe it. Defendant excepts.

A. Well, she came in there and she tried to tell us what was going on and she said she wanted somebody to help her out and take her home, and she wanted to know what time it was and she wanted someone to go over and find the Hargens girl. She said she was over there with a couple of fellows.

Mr. Clark: Now, if the court please, the same objection. We could not anticipate the answer, and move to strike it.

The Court: Well, it is no evidence of the fact but only as showing the history of that which was done by this former witness. I will permit it to go in evidence. Defendant excepts.

Q. Did she then leave your place of business?

Mr. Clark: Same objection.

The Court: Answer. Defendant excepts.

A. We took her home.

Q. Who took her home.

Mr. Clark: Same objection.

The Court: Answer. Defendant excepts.

A. Dr. Lyon and myself.

Q. How did you take her home?

A. In an automobile.

Q. State whether or not the girl at that time was crying or otherwise?

Mr. Clark: Same objection, and calling for a conclusion and a self-serving, hearsay declaration.

The Court: You may answer. Defendant excepts.

A. Yes, sir, she started to cry and then she tried to tell us what was happening and wanted somebody to go and help her out.

E. R. Lyon called as a witness on behalf of the state, testified as follows:

I have lived in Ida Grove for two years. My business is chiropractic. Been practicing for six years, I know Ida Knudsen and was in Ida Grove, Iowa, on the evening of November 4, 1917, and saw her at the Sauer

garage that evening, I believe she had been running. She was apparently nervous and out of breath.

Q. Did she say where she was?

Mr. Clark: We object to that as being incompetent, irrelevant, and immaterial and hearsay.

The Court: I will receive it, but not for the purpose of bearing upon any question as to where Elsie Hargens was in fact. Defendant excepts.

A. She stated that they had gone toward the rendering works.

Q. Did she state who they were with or who was there besides Elsie?

Mr. Clark: Same objection.

The Court: Same ruling. Defendant excepts.

A. She did not state any names as to who she was with.

Q. Did she say whether she was with men or women?

Mr. Clark: Same objection.

The Court: Same ruling. Defendant excepts.

A. Men.

Elsie Hargens, called as a witness on behalf of the state, testified as follows:

I live in Ida Grove, and my father, and mother live here. My father's name is Claus Hargens and my mother's name is Minnie. I have sisters, their names are Caroline, Martha, Norma and Edna. I have lived in Ida Grove about four years. Before coming to Ida Grove lived on a farm eight miles south of Battle Creek. Went to country school and attended school in Ida Grove. I went through the eighth grade, when I quit. I am eighteen years of age. Was seventeen in November, 1917, I have been working at the home of Edward Meents, in Ida Grove. I know Ida Knudsen, have known her as long as I can remember.

I was working for Edward Meents on the 4th day of November, 1917, and I have my Sunday afternoons off. When I get through my work on Sunday, I have no fixed time in the evening, any time. I left Meents' about three o'clock in the afternoon and went down to Bert Johnston's to see my sister. I then went down home at three-thirty, and remained there until seven-thirty. I left my home at that time and went down to Knudsen's, I cannot tell the time I got to Knudsen's. Went right there from home, I left Knudsen's about a quarter to nine, Ida Knudsen and I went together to the postoffice, read the paper and left five minutes to nine. There is a light near the postoffice, I know it was five minutes to nine when we left the postoffice for I looked at the clock. When we got out of the postoffice we went south to the corner, where the car stopped us. We first saw this car when we were going to the postoffice, going north, it was a Ford car, after coming out of the postoffice we first saw it coming up going south a

short distance from us, the car stopped. We said nothing to them before they stopped, we were within six or eight feet of the car when it stopped, asked us for a ride, I said I didn't know, had to be home in half an hour. They said they would take us home in half an hour, I said all right, if they would promise to say on the pavement. The doors of the car was not open. They were afterward opened by Rathbun. He got out of the front of the car, went into the back seat, I was right beside the car. The light was shining there, I got in the front seat with Ray O'Meara. Ida Knudsen and Ernest Rathbun were in the back seat, when I say Rathbun and Ernest Rathbun I mean the defendant in this case. Ray O'Meara was driving the car.

We first went south two blocks, east three blocks, then a block south again, then a block east again, then north to the end of the street, back to town, then past the ice plant and over the railroad track and over the bridge to old town, going north to the end of the street, then east to the corner then north again, then turned east to the cemetery. There we stopped. We asked them to go out and start the car; they said nothing. Ida got out and tried to crank the car. Then I got out and both of us tried to crank the car. The car didn't start. We left walking west, we were going home to town. The boys cranked the car, turned it around, followed us and said "Come on, girls, get in, we will take you back to town." We said "all right" and got in the car again, I sat in the front seat and Ida in the back. We went back to old town, then out to the rendering works, the car stopped. We asked them to go out and crank the car. They said nothing. Ida then got out of the car, I tried to get out but O'Meara grabbed me around the shoulders. When he took ahold of me I screamed, Ida had left the car when I screamed. I told her to stay. O'Meara choked me when I screamed. I did not quit screaming when he choked me. I was in the car at this time, while he was choking me he says, "Shut up, you God damn fool, I will kill you." I tried to get out of the car, they lifted me out of the car. One had hold of my head the other my feet. I did not tell them to do that, I was afraid of them. When I got out of the car they got me down on my back in the leaves on the ground. They put me there. One of the boys was standing back of my head holding my arms over my breast. The other was sitting on my legs. I did not tell them they could take hold of me in that way. The one that was sitting on my legs pulled up my dress, tore my union suit. (Identified union suit, "Exhibit A," and pair of stockings, "Exhibit B.")

Q. I will ask you to examine "Exhibit A" and state whether or not that was the under clothes you had on that night.

A. Yes sir.

Q. I will ask you to state whether or not those under clothes were torn before the boys tore them that night?

A. No sir.

Q. I will ask you whether, or not, those under clothes show the tears now? As they were made by those boys that night?

A. Yes sir.

Mr. Kindig: We offer in evidence "Exhibit A."

Mr. Clark: We object to the offer and introduction of "Exhibit A" the same being incompetent, irrelevant, immaterial and not properly identified.

The Court: Overruled. Defendant excepts.

Q. I will ask you whether or not you have washed those under clothes "Exhibit A" since that night?

A. Yes sir.

Q. When did you wash them?

A. Monday after that.

Mr. Clark: The further objection that the clothes are not in the same condition as they were immediately after the occurrence, and at this time being introduced in evidence, being more than a month afterward, not competent for any purpose.

The Court: Overruled. Defendant excepts.

Q. I will ask you to examine "Exhibit B," if you will, please, and state what those are.

A. Those are the stockings torn.

Q. When did you wear them last?

A. November 4th.

Q. State whether or not you had those stockings on when the boys had you on the ground there?

A. Yes sir.

Q. When you put the stockings on that night or that day did they have those tears in them?

A. No sir, they didn't.

Mr. Kindig: We offer in evidence "Exhibit B."

Mr. Clark: Same objection, incompetent, irrelevant, immaterial and not properly identified.

The Court: Overruled. Defendant excepts.

After unbuttoning his clothes he put his sexual organ into mine. I did not tell him he could do it, nor did I ask him to do it. He did not ask me if he could. While one of the boys were holding me the other said, "What is the matter is she sewed up." The other boy says, "seems like it." He got off in a short time and held me while the other boy went down, he sat across my legs, unbuttoned his clothing, he put his sexual organ

into mine, I did not tell him he could, nor did he ask me. I do not know which boy had sexual intercourse with me first. One of the boys was Ernest Rathbun. After the second boy got off, I got up. They then looked for my hat, they handed it to me and I dropped it. After I got my hat I went home. I did not ask them to take me home in the automobile. The last time I saw the automobile it was going in the other direction. I walked home my hair was down and there was leaves in it, I went in the back door, the doors were locked and I called at the window and told them to let me in. I do not know the time I went to bed. Ida Knudsen was at my house that night, I told my father and mother what occurred. I was in bed when Ida came. The sheriff was there that night. I was examined by Doctor Conn on Monday morning.

## CROSS EXAMINATION.

I left the postoffice that evening at five minutes after nine, and went right to the corner above the postoffice, where we got into the automobile. It was a Ford, enclosed. I don't know whether it had a self-starter. I do not know how they started the car.

Q. Now at the time you got into the car, did you know these boys?

A. No sir.

Q. You say one of them got out of the car to assist you ladies in?

A. Yes sir.

Q. You didn't know the boys when they were having intercourse with you?

A. No sir.

Q. When was the first time you had made up your mind that it was Ernest Rathbun and Ray O'Meara?

A. The day they were up in the court house.

Q. That was the day the boys came up to be arraigned?

A. Yes, sir.

Q. The same day that Mr. Johnston told you girls to be up here, and pointed the boys out to you?

A. Yes sir.

Q. You never remember seeing these boys before?

A. No sir.

Q. Was you in front of this car at any time?

A. Yes sir.

Q. When was that?

A. When I tried to crank it.

Q. After you had gotten out of the car at the cemetery, the boys drove the car toward you, and at that time you could have a full view of the front couldn't you?

A. Yes sir.

Q. You say you tried to crank the car?

A. Yes sir.

Q. Did you try very hard?

A. No sir.

Q. You just took hold and you was joking with the boys, and was trying to crank it?

A. Yes sir.

Q. You was feeling all right at that time?

A. Yes sir.

Q. You and the boys were having a good time, good social time wasn't you, that is right, isn't it Miss Hargens?

A. Yes sir.

Q. Then you went on down to the bridge?

A. Yes sir.

Q. You didn't up to that time know either one of the boys?

A. No sir.

Q. Now after this, about which you have testified occurred to you down by the bridge you say you screamed?

A. Yes sir, I did.

I do not know where Mrs. Lowe McShane lives, Mr. Walrod, nor the people of the rendering works, and while I was screaming no person came to my assistance, I heard and understood what the boys were saying when they were having intercourse with me, and after everything was all over I was looking for my hat and asked the boys where it was. They found it and handed it to me. I reached out for it and it dropped on the ground. One of the boys said, "I didn't mean to drop it."

When I started home I crossed the bridge, went east, came down the first avenue in the old town, across the railroad track, went on east side of Main street, crossed at the Baxter bank, past the postoffice.

Q. Did you stop at the postoffice?

A. No sir.

Q. Who did you meet between the Baxter bank and the postoffice?

A. Didn't meet anybody there at all.

Q. Know of anybody you met on the street?

A. No sir.

Q. What side of the street did you come up on?

A. First I came up on the east side and then I crossed over to the Baxter bank, and went up on the west side.

Q. Don't remember meeting any person on that side?

A. No sir.

Q. Now on the night of the 4th of November, 1917, did you not meet a young man between the postoffice and the bank, known as Baxter Bros. bank, in Ida Grove, Iowa, between the hours of nine and ten o'clock by the name of Walter Anderson, and did not he come to you while you were walking between the points designated and say, "Where are we all going," "Can I see you home." You replied and says, "I don't care," that while going south from that point he says, "Is this not Mrs. Hargens?" You says, "Yes it is," and then he says, "My name is Anderson." You walked together up to your home, stood out in front, and the conversation that took place there was, "May I have a date with you tomorrow night?" You says, "No, I have to do a big washing tomorrow." He then asked you how Friday night would do, and you said, "That will be all right." "All right, Friday night." "What will we do?" He says, "We will go to the picture show."

A. No sir.

"Did you have it in those words or substance, that night?"

A. No sir.

Q. How did you know the defendant's first name was Ernest?

A. I heard it.

Q. Who did you hear it from?

A. No answer.

Q. Bert Johnson wasn't it?

A. No answer.

Q. Have you been in Chas. Macomber's office and talked with him about this case?

A. No sir.

Q. Have you been in Mr. Murphy's office and talked with him about it?

A. No sir.

Q. Have you been in Johnston's office?

A. Yes sir.

Q. How many times?

A. Six or seven.

Q. Who was there at those times?

A. Mr. Kindig, Mr. Rock and Mr. Ridsen.

Q. When did you go to school in Ida Grove?

A. About two years ago I quit.

Q. Did you attend school in the year 1915?

A. I think I did.

Q. Did you also attend school in the spring of 1916?

A. No sir.

Q. You didn't go to school in 1916 at all?

A. No sir.

Q. What grades were you in, Miss Hargens?

A. I went to the sixth grade, seventh grade and eighth grade in Ida Grove.

Q. You wasn't there in the spring of last year at all?

A. No sir.

Q. Did you go the fall before 1916, that would be in 1915?

A. No sir.

Q. You quit after the spring term of 1915?

A. Yes sir.

Q. When you were going to school did you attend the football games?

A. Once, in 1915, Thanksgiving game.

I noticed the condition of the ground where the boys laid me down. There was no grass just leaves, I didn't visit any after this occurred, I came right home. I did not ask the boys to take me home.

#### RE-DIRECT EXAMINATION.

The condition of my body after I came in from out there was, that I had a scratch on the right side of my face, a bruise on the right arm, and a bruise below my elbow on my left arm, and a scratch on my left leg below the knee to the outside, I had a waist that was torn.

#### RE-CROSS EXAMINATION.

On Monday I staid down at the folk's until around ten o'clock. I waited for Dr. Conn to come up and make an examination. Then I waited a



short while, then I went down to Meents' and done a washing that day, and have been working ever since.

Mrs. Theobald, called as witness on behalf of the state, testified as follows:

Mr. Kindig: The state at this time ask to have the defendant present.

Mr. Clark: Isn't the defendant present?

Mr. Kindig: The defendant isn't sitting here.

Mr. Johnston: The defendant isn't present.

Mr. Clark: He is in court. "Ernest Rathbun," called from the body of the court room, takes seat behind his counsel.

I am now residing in Carroll, Iowa. I formerly lived in Ida Grove. I am married and my husband works for the American Express. I have one child. Was living in Ida Grove on the 4th day of November, 1917. I know Mary Schuett. I saw the defendant upon the 4th day of November, 1917, and Mary Schuett was with me when I saw him. The first time I saw him I was going to town and met and talked with him on Main street, in the middle of the square from Lindsay's corner, between four and five o'clock. I saw him next, ten minutes of seven a block and a half from Lindsay's store. I had my baby with me, and was with Mary Schuett. Ray O'Meara was with the defendant. They were in a Ford car, going down, and they turned around and came back to the curbing. The car remained there just long enough for us to get in.

Q. Then after you got in where did the car go?

Mr. Clark: That is objected to as incompetent, irrelevant and immaterial, and independent matter not in any wise connected with the crime charged.

The Court: You may answer. Defendant excepts.

A. Why, then the car went from Main street, or the Main street east, yes, just a block, then taking us out on to a big road. I couldn't tell you where it was going or nothing about it because I am not well enough acquainted with the roads around Ida Grove.

Q. When you got out in the road there did you get out of the car?

Mr. Clark: We object to that as incompetent, irrelevant and immaterial as to what they did.

The Court: Yes, as to what they did, but as to her presence with the defendant you may show, or she may testify to it. State excepts.

Q. Where did the car go?

Mr. Clark: That is objected to as incompetent, irrelevant and immaterial.

The Court: You may answer.

A. Why, it went out to the school house.

Q. Did you remain in the car?

Mr. Clark: Same objection, incompetent, irrelevant and immaterial, not tending to prove any matter whatever in issue.

The Court: You may answer. Defendant excepts.

A. Why, I remained in the car until they wouldn't bring us back to town and then I got out.

Q. State whether or not Mary remained in the car?

Mr. Clark: Same objection, incompetent, irrelevant and immaterial.

The Court: You may answer. Defendant excepts.

A. She remained in. Well, I remained in longer than she did, she got out first.

Q. And after you and Mary got out of the car where was the defendant?

Mr. Clark: We object to that as incompetent, irrelevant and immaterial.

The Court: You may answer. Defendant excepts.

A. They were still in the car.

Q. Why did you get out of the car?

Mr. Clark: The same objection.

The Court: This objection is sustained. State excepts.

Q. Where did you last see that car that night at any time?

Mr. Clark: Same objection.

The Court: You may answer. Defendant excepts.

A. Why, the last time I saw that car was down by a little bridge.

Q. How near the school house?

Mr. Clark: Same objection.

The Court: You may answer. Defendant excepts.

A. It must have been about a mile from the school house.

Q. Did you go back to town in the car?

Mr. Clark: Same objection.

The Court: You may answer. Defendant excepts.

A. No sir.

Q. What time of night was it when you was out there, do you know?

Mr. Clark: Same objection.

The Court: You may answer. Defendant excepts.

A. Why, when we were out there it couldn't have been any more than half past seven, because when we went into the farm house it was just eight o'clock.

Q. Did you look at a clock?

Mr. Clark: Same objection.

The Court: Answer. Defendant excepts.

A. Yes sir.

Q. Where did you see the clock?

Mr. Clark: Same objection.

The Court: Answer. Defendant excepts.

A. Why, in the house. There was—right on the side of the house in the kitchen there is a cupboard built right in the wall and there is a shelf underneath the cupboard and there was a little alarm clock sitting there.

Q. State whether or not the defendant when you were in the car made any improper suggestion to you?

Mr. Clark: Same objection.

The Court: Sustained. State excepts.

Q. What time was it when you got back to town?

Mr. Clark: Same objection.

The Court: Answer. Defendant excepts.

A. Nine o'clock.

Elsie Hargens, recalled on behalf of the State for further examination in chief testified as follows:

("Exhibit C" marked for the State: Shirt waist.)

"Exhibit C" is the waist I wore November 4th, 1917, at the time I was out with the boys. It was torn out there. I sewed it. Before I was out with them the waist was not torn, Mr. Johnston did not tell me who the defendant was that morning when I was up here.

Q. State whether or not you are absolutely sure, or what your mind is in regard to whether or not the defendant in this case is one of the boys who had intercourse with you that night.

Mr. Clark: We object to that as incompetent, irrelevant, immaterial, leading and suggestive.

The Court: Answer. Defendant excepts.

#### CROSS EXAMINATION.

(Upon reconvention of the Court subsequent to an adjournment, an

other person sat in the chair previously occupied by the defendant. Mr. Johnston, one of the attorneys for the State talked to the prosecuting witness, called the fact to the attention of Mr. Kindig, who was conducting the examination of witnesses for the State, at which time said Attorney Kindig made the statements to the Court, heretofore referred to, previous to the examination of witness, Mrs. Theobald. This is an introductory statement made by the attorneys for the defense and not a part of the transcript, but here given for the purpose of connecting those statements with the first part of this cross examination.)

Q. Didn't Mr. Johnston have a talk with you just a few minutes ago before you got on the stand?

A. Yes sir.

Q. And told them they were trying to change them on you?

A. No sir.

Q. What did he tell you when he spoke to you?

A. He told me I should take a good look at the defendant.

Q. When you was on the stand before the adjournment you had told all about who the defendant was hadn't you?

A. Yes sir.

My father did not punish me after I got home, didn't reprimand me at all or scold me, nor didn't say anything about my going out with strange boys. I didn't know Ray O'Meara when I was going to school. I don't know whether he was going to school in Ida Grove, Iowa, the same time I was or not.

#### RE-DIRECT EXAMINATION.

I did not attend the high school in Ida Grove, the grade school and the high school are not different buildings exactly.

#### RE-CROSS EXAMINATION.

I went through the eighth grade, which is next to the high school, I did not belong to the cheering club for the football team consisting of the eighth grade, and the high school and I was not among the cheering squad when I attended the Thanksgiving game.

Mary Schutt, called as a witness on behalf of the State, testified as follows:

I live in Ida Grove with my mother. My father is dead. I am working at the laundry, I know Mrs. Theobald, and the defendant Rathbun, I was in Ida Grove, Iowa, on the 4th day of November, on Sunday. I saw the defendant and O'Meara in town that time. I saw them about six o'clock in the evening a block and a half straight south of Lindsay's corner, Mrs.

Theobald and her baby was with me. They were riding in a Ford car, they spoke to us and we spoke back to them.

Q. Did you get into the car?

Mr. White: That is objected to as incompetent, irrelevant and immaterial, not tending to prove or disprove any matter in issue, calling for hearsay, and self-serving declarations, and, if anything, tending to prove a matter foreign to the matter on trial.

The Court: You may answer. Defendant excepts.

A. Yes sir.

Q. Did Mrs. Theobald get into the car?

Mr. White: Same objection as last above and each of them

The Court: Same ruling. Defendant excepts.

A. Yes sir.

Q. State whether or not the car then left Ida Grove?

Mr. White: Same objection as last above and each of them.

The Court: Same ruling. Defendant excepts.

A. Yes.

Q. Did you talk to the defendant at that time in the car?

Mr. White: Same objection as last above and each of them.

The Court: Same ruling. Defendant excepts.

A. A very little.

Q. Where did you go in the car?

Mr. White: Same objection as last above and each of them.

The Court: Same ruling. Defendant excepts.

A. We went right straight west for a ways and then we turned up south and went about three miles and then we went north and then we went about a mile north and then we went south again and stopped right by a school house.

Q. Did you get out the car at the school house?

Mr. White: Same objection as last above and each of them.

The Court: Same ruling. Defendant excepts.

A. No sir.

Q. At no time that night?

Mr. White: Same objection as last above and each of them.

The Court: Same ruling. Defendant excepts.

A. Only when we got out of the car and started back to town.

Q. Where did you get out of the car?

Mr. White: Same objection as last above and each of them.

The Court: Same ruling. Defendant excepts.

A. Right by the school house.

Q. State whether or not Mrs. Theobald got out of the car the same time you did?

Mr. White: Same objection as last above and each of them.

The Court: Same ruling. Defendant excepts.

Q. Where was the car when you last saw it?

Mr. White: Same objection as last above and each of them.

The Court: Same ruling. Defendant excepts.

A. It was starting back to town.

Q. Were you in the car when it went back to town?

Mr. White: Same objection as last above and each of them.

The Court: Same ruling. Defendant excepts.

A. No sir.

Q. Was Mrs. Theobald?

Mr. White: Same objection as last above and each of them.

The Court: Same ruling. Defendant excepts.

A. No.

Q. About what time was it then?

Mr. White: Same objection as last above and each of them.

The Court: Same ruling. Defendant excepts.

A. About half past eight.

Q. Did you see a clock?

Mr. White: Same objection as last above and each of them.

The Court: Same ruling. Defendant excepts.

A. After we got in the house at Mrs. George Forney's, then we seen a clock.

Q. What time was it when you saw the clock?

Mr. White: Same objection as last above and each of them.

The Court: Same ruling. Defendant excepts.

A. About half-past eight.

Q. Did you go back to town with O'Meara and Rathbun?

Mr. White: Same objection as last above and each of them.

The Court: Same ruling. Defendant excepts.

A. No.

Q. What time was it when you got back to town?

Mr. White: Same objection as last above and each of them.

The Court: Same ruling. Defendant excepts.

A. About nine o'clock.

Mr. Kindig: When I ask this question you wait, please, until counsel make his objection if he wants to.

Q. When you was in the car that night was there anything indecent or immoral suggested to you or Mrs. Theobald?

Mr. White: That is objected to as incompetent, irrelevant and immaterial, not tending to prove or disprove any matter in issue, calling for hearsay and self-serving declaration, and is improper and misconduct on the part of the counsel for the State.

Mr. White: Same objection as last above and each of them.

The Court: Sustained. State excepts.

Mrs. Minnie Hargens, called as a witness on behalf of the State, testified as follows:

I live in Ida Grove, Iowa, lived there for four years. Before coming to Ida Grove, lived south of Battle Creek, Elsie Hargens is my daughter. I remember the occasion of my daughter coming home in the evening November 4th, 1917, she came home at about half the afternoon, she stayed for supper. When she left we were not at home, had gone to the neighbor's. She came back at ten o'clock that evening. My husband and I were in bed when she came home. She called for us to let her in. Mr. Hargens let her in. I saw her first when she came up stairs.

Q. What did you observe about her when she came up stairs?

Mr. White: That is objected to as incompetent, irrelevant and immaterial, and not tending to prove or disprove any matter in issue, calling for hearsay and self-serving declarations, and for the further reason that the prosecuting witness has not related any matter of conversation or visit with her mother that night.

The Court: You may answer. Defendant excepts.

A. She came up crying. I asked her what was the matter.

Q. What else did you observe about her at that time?

Mr. White: Same objection as last above, and for the reason that it is improper for her to tell anything that she got from her daughter by interrogation or by questioning.

The Court: You may answer. Defendant excepts.

A. Why she was so excited and cried and I asked her what happened. She said she had been out with the boys and I asked her—

Mr. White: We object and ask that the evidence be stricken for the reasons urged in objections to the question, and all of them.

The Court: I don't want her to get into any narrative that occurred there, but, of course, the complaint could be shown, but the mere fact of complaint is as far as it can go.

Q. State whether or not she told you what the boys done?

Mr. White: The same objection, and for the further reason the same is leading and suggestive.

The Court: You may answer. Defendant excepts.

A. Yes sir. She told we what the boys had done.

Q. Did you observe the rest of her person at that time?

Mr. White: Same objection as last above and each of them.

The Court: The same ruling. Defendant excepts.

A. Her hair was all down, full of dirt and leaves, she had a scratch in her face, her stocking was torn and her leg scratched.

Q. Did you see her underclothing at that time?

A. No sir, I didn't examine her underclothing.

Q. Did you examine her arms?

A. No.

She stayed home that night. When she was working for Meents she stayed there nights. We called for the doctor that night but he did not come until the next morning. The sheriff came, my daughter, Norma, was there, also my husband.

#### CROSS EXAMINATION.

My daughter got home at ten o'clock that night. Mr. Hargens went after the sheriff. Mr. Meents came after the sheriff was there. The sheriff, Van Wagoner and Anderson went to Denison. The windows on the east side of the house was opened that night, and all the windows facing the street. I didn't examine my daughter's clothing.

Mr. White: We ask that the direct evidence of the witness be stricken for the reasons urged in the objections thereto.



The Court: Overruled. Defendant excepts.

Norma Hargens, called as a witness on behalf of the State, testified as follows:

I stay at home with my father and mother, and go to school. I am thirteen years of age, I was home on the evening of November 4th, 1917. I remember the occasion of my sister, Elsie, coming in that evening. I was in bed and got up when she came in. I noticed her hair was down and it was full of leaves, and she had a hole in her stocking.

Elsie Hargens recalled for further cross examination, testified as follows:

Q. Did you say before when you was on the stand the first time you knew who the boys were that you referred to as being in the car with you was the day they were arraigned?

A. Yes sir.

Q. That is the first time you knew who the boys were?

A. Yes sir.

Q. That was after you was before the Grand Jury, wasn't it and after the boys were indicted?

A. Yes sir.

RE-DIRECT EXAMINATION.

Q. From the night the boys were out to this place near the rendering works until you saw them in the court room had you seen them?

A. No sir.

Q. Had you seen them in the mean time?

A. No.

Laura Glass, called as a witness in behalf of the State, testified as follows:

I live in Ida Grove, Iowa, been living there for thirteen years, am fifteen years of age. I know Sarah Satterly, known her since I have lived in Ida Grove. I am working in the laundry. I saw Sarah Satterly November 4th, 1917, in Ida Grove, Iowa. I first saw her at Kuntz's bakery at about eight o'clock, we walked up to the postoffice, just walked in, then we walked down the street about a block north, then two blocks west. I know the defendant Rathbun and Ray O'Meara. I saw them that evening. The first time down by the mill. I next seen them down by the depot. from the mill to the depot it is five blocks, we just walked down and came back. We talked to them at both places. They were in a Ford car. When they left us they drove south. It was about half past eight.

Sarah Satterly, called as a witness, testified as follows:

I live in Ida Grove and am seventeen years of age. Am working at the bakery. I know Laura Glass, known her about two years. I saw her in the bakery in the evening about eight, the 4th day of November, 1917. I

left with her, we walked up to the postoffice, staid there about five minutes, then went down the street a ways. That evening when I was with her I saw the defendant and Ray O'Meara, first saw them down by the mill and the next time at the depot. They talked to us and we talked to them. They were in a Ford car, and went south from the depot.

Roy C. Myer, called on behalf of the State, testified as follows:

I live in Ida Grove. Lived there all my life, am nineteen years of age, working driving for Dr. Conn. I was in Ida Grove, on the evening of November 4th, 1917. I know Ida Knudsen and Elsie Hargens. I walked up to the postoffice that evening and saw Ida Knudsen and Elsie Hargens standing on the corner south of the postoffice, then saw them go out to the street to a Ford touring car, saw them right beside the car. It was about nine o'clock.

CROSS EXAMINATION.

I did not see them get into the car, merely saw them standing beside it. I don't know whether they got in or not.

Claus Hargens, called on behalf of the State, testified as follows:

I am the father of Elsie Hargens, and I live in Ida Grove, I have lived there about four years. Before that I lived in Grant Township. I live on Taylor street. Lived there on the 4th of November, 1917.

I remember my daughter coming to my home that day towards evening. I went to visit my neighbor, and she was not home when I came back. I saw her next about ten o'clock, she called to me to let her in. My wife and myself were in bed. I let her in.

Q. What did you see about her person or of her condition when you first let her in?

Mr. Clark: Objected to as calling for the conclusion of the witness and not the statement of an ultimate fact. Incompetent, irrelevant and immaterial, also it not appearing the prosecuting witness made any complaint.

The Court: You may answer. Defendant excepts.

A. Well she walked upstairs I followed her, and she cried. Her face was red and she had a red streak on her neck. I took her hat off, her hair was down and leaves in it.

CROSS EXAMINATION.

The front of my house lays twenty-one feet from the sidewalk. I measured it today noon. We have one window generally open. I had some talk with my daughter that evening, in the bed room. The bed room is located upstairs, and one of the windows that night was open.

Thos. McLeod, called as a witness on behalf of the State, testified as follows:

I am sheriff of Ida County, Iowa, and was the sheriff on the 4th day of November, 1917. I remember of a complaint coming to me of a girl being

ravished. I received that complaint a few minutes after ten on that night. I say the stocking "Exhibit B" also saw the undergarments, "Exhibit A." They have been washed. I received a warrant for the arrest of the defendant on Thursday the 8th.

Q. I will ask you whether or not you tried to locate him?

Mr. White: That is objected to as incompetent, irrelevant and immaterial, not tending to prove or disapprove any matter in issue, and we ask that they proceed by showing first where the defendant was arrested and not proceed with this part of the evidence first.

The Court: You may answer. Defendant excepts.

A. I did.

I first went to Denison, then to Omaha. That is all the trips I made. I went to his home and O'Meara's home.

Q. Did you locate him at any of those places?

Mr. White: That is objected to as incompetent, irrelevant and immaterial, not tending to prove or disapprove any matter in issue, the material question being as to where the defendant was arrested.

The Court: You may answer. Defendant excepts.

A. No sir, not any of those places.

I arrested him before the Grand Jury met and he was placed under bail before a Justice of the Peace.

#### CROSS EXAMINATION.

There was a complaint made to me on or about the 4th day of November, 1917, and after the complaint was made I immediately got up and dressed, called up Mr. Anderson, and then Van Wagoner, and then went to Hargens' home. We talked about what had happened in the presence of the girl.

Q. What talk did you have, what did she say, if anything?

Mr. Kindig: Objected to as not proper cross examination.

The Court: I will let him answer. State excepts.

A. The girl didn't say much as I remember it.

Q. What did they tell you in her presence there?

A. Well, what I had been told was not in her presence.

Q. It was in relation to the same matter wasn't it?

A. Yes sir.

Q. Go ahead and tell it?

Mr. Kindig: Object to that as not proper cross-examination and immaterial and irrelevant.

The Court: Sustained. Defendant excepts.

In this conversation they did not give me the name of the defendant. The girl told me the boys they were with, said they were from Denison. I went from Hargens' to Knudsen's, talked to the Knudsen girl, then I went around to where the crime was supposed to have been committed. William Anderson, Ed Meents and Philo Van Wagoner, Jr., was with me. These persons were assisting me in this matter. We examined the road and found to the best of our knowledge Ford automobile tracks. From the impression there was one non-skid tire on the right hind wheel and a smooth tire on the left hind wheel. Then we came back to town and telephoned to Mr. Cummings, the sheriff at Denison, and told him to watch for all cars coming from the north into that city, and that I would be there as soon as I could get there. I went there and Mr. Cummings met me in the square at Denison near the court house. He had two persons in his custody who had been running without numbers. Then we went into the restaurant, made some inquiries. There was several persons talked to that night. We called a couple of fellows out and had them explain where they had been and prove to us they were not the persons. We called persons out of their bed. This was between one and four o'clock in the morning of the 5th of November, 1917.

The route we took to Denison and return would take us by the home of the defendant. A warrant was placed in my hands for the arrest of the defendant on the 8th day of November, 1917.

Q. Now then subsequent to handing you this warrant did you take the defendant into custody?

A. I did later on.

Q. That was in the city of Ida Grove?

A. Yes sir.

Q. You say you examined "Exhibit B" being the under-clothing of the girl.

A. I saw it but did not examine it.

Q. You didn't notice at that time it was torn?

A. I didn't notice whether it was torn.

Q. Did you notice her neck, as to whether or not it contained scratches?

A. I didn't notice any scratches on her neck.

Q. Did you notice any red marks on her neck or anything of that character?

A. I did not notice any red marks.

Q. You didn't notice any bruises on her body?

A. Her shin was skinned, the one upon which this stocking was worn.

Q. That was all the openings or scratches that you saw?

A. That is all the scratches I saw on the girl.

Q. Was she lying in bed when you saw her there?

A. No sir she was sitting in a chair.

Q. You didn't see any marks upon her face or any other marks excepting the ones on her shin?

A. I saw no marks.

Q. When Mr. Hargens came down to you he complained about this matter, and told you his daughter had been assaulted?

A. Yes sir.

Q. Did he at that time say anything about what she had told him?

Mr. Kindig: We object to that as not proper cross examination.

The Court: Sustained. Defendant excepts.

Q. What was the conversation had with Mr. Hargens at the time that he came down and complained?

Mr. Kindig: Same objection.

The Court: Sustained. Defendant excepts.

Q. Now when you was in Denison was you looking for a new Ford or an old Ford car?

Mr. Kindig: Same objection.

The Court: You may answer. State excepts.

A. I was looking for a Ford car.

Q. Didn't you tell Mr. Cummings that it was an old Ford car that you was looking for?

A. No, I think I told him it was an old car.

Q. Did any of the persons that you had associating with you there tell him that in your presence?

Mr. Kindig: We object to that as not proper cross examination and immaterial what somebody may have said.

The Court: Sustained. Defendant excepts.

Q. Did Mr. Anderson or Mr. Philo Van Wagoner tell him that it was an old Ford car?

Mr. Kindig: Same objection.

The Court: Sustained. Defendant excepts.

Q. Did you tell him anything about the hind tires, what you had examined on the ground over there?

A. I did, yes sir.

Q. And what did you tell him?

A. I told him as near as we could locate by the tracks, there was a rough tire, "non-skid," on one side and a smooth tire on the other.

Q. You know, Tom, from the tracks, as you examined them there, which side of the car you determined the rough skid was on?

A. Yes sir.

Q. Which side right or left?

A. Well, it is according to the way the car was facing, standing behind the car it would be on the right side; standing in front it would be on the left.

RE-DIRECT EXAMINATION.

Q. The Grand Jury which investigated this case and returned this indictment met, as I believe, on Monday, is that right?

A. Yes sir.

Q. I will ask you whether or not any state agents or any representative of the Attorney General's office was in Ida Grove on this case before Sunday, before that date?

Mr. Clark: That is objected to as incompetent, irrelevant and immaterial.

The Court: You may answer if you knew. Defendant excepts.

A. Not to my knowledge, no sir.

RE-CROSS EXAMINATION.

Q. You don't know anything about that, do you, only just as to what you might see or hear?

A. Not any further than I would know them if I saw them.

Q. There has been, though, a couple of state agents here since that time, was there not?

A. Yes sir.

Mr. Kindig: We will admit that they have been here some of the time.

Dr. J. E. Conn, called on behalf of the State, testified as follows:

I am a practicing physician in Ida Grove, Iowa, been practicing for twenty-five years. I know Elsie Hargens, and made an examination of her person upon the 5th day of November, 1917, and in that examination I made examination for bruises, cuts and scars. She had a bruise on both arms, black and blue spots, had a scratch on side of her face and her right leg was bruised and scratched. I also made an examination of her sexual organ. It revealed an ordinary condition for a girl of her age. It was open enough to have been penetrated, and some secretions.

## CROSS EXAMINATION.

There was no laceration of the sexual organ, and the fact that there was an opening there sufficient to have sexual intercourse is no indication that there was intercourse.

## RE-DIRECT EXAMINATION.

I could not form an opinion as to whether or not sexual intercourse occurred from my examination, without taking the statement of the patient into consideration. There was no hymen there.

## RE-CROSS EXAMINATION.

It is a fact that the hymen may be absent even though there has been no sexual intercourse.

Mrs. Edward Meents, called on behalf of the State, testified as follows:

I have lived in Ida Grove five years, am acquainted with Elsie Hargens, she is working for me, been working for me for a year. She stayed with me at nights when she was working, excepting some times. On the 4th of November she did not come home at night. When she got back to my place the next morning I observed that she had blue spots on her arms and on her neck. This is not the only night she didn't stay at my home. Nights she has been gone visiting her relatives.

James Russell Easton, called on behalf of the State, testified as follows:

I live in Ida Grove, am eighteen years old, lived here eighteen years. I attended the high school and know defendant Rathbun and Ray O'Meara, and was acquainted with them on the 4th day of November, 1917. I was in Ida Grove on the 4th day of November, 1917, in the evening of that day and I saw the defendant Rathbun and Ray O'Meara. I saw them down by Walrod's pool hall, there was present with me, Bert Noll, Clem Olsen, Harry Jensen and Stanley Lajnsen. It was about eight-thirty in the evening. I did not talk with them.

## CROSS EXAMINATION.

I do not know the exact time I saw them. I know it was after eight o'clock.

## RE-DIRECT EXAMINATION.

I think it was after half past eight they were in a Ford car.

Stanley Lajnsen, called on behalf of the State, testified as follows:

I live in Ida Grove, am sixteen years old. I have attended school in Ida Grove, but am not now. I was in Ida Grove on the evening of the 4th day of November, 1917, and am acquainted with the defendant Rathbun and Ray O'Meara. I have known them about five years. I saw them that evening in front of the Walrod pool hall. They were in a Ford car. I heard no conversation. I saw them between eight and nine o'clock.

## CROSS EXAMINATION.

The car they were in was enclosed and 1917 model, comparatively new car.

Bert L. Noll, called as a witness on behalf of the State, testified as follows:

I live in Ida Grove, lived there all my life, I have attended high school in Ida Grove, and know the defendant Rathbun and Ray O'Meara, know them about four years. I saw them on the 4th day of November, 1917, on the evening, saw them down in front of the Walrod pool hall. I talked with them, they were in a Ford car. It was after seven-forty-two, as the flyer had come in. I saw them leave and they went west.

## CROSS EXAMINATION.

The car was a Model 1917. Comparatively new car.

Harry R. Jensen, called on behalf of the State, testified as follows:

I live in the country near Ida Grove, about seven miles and a half. I go to school in Ida Grove, and am in the high school, and I know defendant Rathbun and Ray O'Meara. I have known them most all my life, I was in Ida Grove, Iowa, on the evening of November 4th, 1917, I saw the defendant, Rathbun and Ray O'Meara in Ida Grove that evening, in front of Walrod's pool hall. It was right around half-past eight. They were in a Ford car. It was enclosed. I saw them leave that place and they went west. It was a car that had been used.

## CROSS EXAMINATION.

It was a comparatively new car.

Clement William Ohlsen called on behalf of the state, testified as follows:

I live in Ida Grove, have lived here seventeen years. I know the defendant Rathbun and Ray O'Meara, saw them in Ida Grove November 4, 1917, in a Ford car in front of Meyers & Cameron's ice cream parlor. It was a quarter to nine o'clock. I saw them leave and they went west.

## CROSS EXAMINATION.

The car was a 1917 model, comparatively a new car.

Will Reinkoff, called on behalf of the state, testified as follows:

I live in Ida Grove, Iowa. Am engaged in the automobile business. I know Elsie Hargens and Ed Meents, went with them about four o'clock in the afternoon Monday, the 5th day of November, 1917, and investigated the ground where this crime was supposed to have been committed. I found a place that was flat in the leaves and higher up on the sides.

Edward Meents, called by the state, testified as follows:



I live in Ida Grove, and am in the bank and land business, I know Elsie Hargens. She works at my place, and stays there at night, and she was working for me on the 4th day of November, 1917. I learned of this matter at about ten o'clock on the evening of the 4th day of November, 1917. I was at her place that night. The next day Mr. Reinking, Elsie Hargens and myself went out to the place where this crime was supposed to have been committed. I made an investigation of the place, I found the place where it took place.

Q. Did she tell you where it occurred.

A. Yes.

Q. What did you find there now, just tell the jury please the condition of the place.

A. I found a place in the leaves which plainly showed the imprint of a human body. The leaves were pressed down and plainly showed the shape and form of a human body and surrounding the place you could plainly see the leaves hadn't been disturbed.

#### CROSS EXAMINATION.

I am in the land and loan business and have a partner. Mr. A. C. Johnston, the attorney in this case, is my partner. I have been associated with him in business about five years.

Fern Sammons, called on behalf of the state, testified as follows:

I live in Battle Creek, Iowa, am fifteen years of age. I know the defendant Rathbun and Ray O'Meara. I first saw them October 28, 1917. I saw them on the crossing in Battle Creek. I did not know Rathbun or Ray O'Meara at that time. Ellis Piper told me the defendant's name was Johnson.

The above testimony was introduced under the objection of the defendant as being incompetent, irrelevant, immaterial and hearsay.

The court permitted the answers. Defendant excepted.

J. M. Sauer, recalled on behalf of the state, testified as follows:

Q. I will ask you whether or not in November, 1917, you were in Omaha-Nebraska.

A. Yes sir.

Q. I will ask you whether you saw the defendant Rathbun there.

Mr. White: That is objected to as incompetent, irrelevant and immaterial, calling for hearsay and self-serving declarations and for the further reason, if it is to show flight, we object because they have not first shown that the defendant knew that he was wanted or that he was either accused or suspected of committing any crime or offense, that the proper foundation has not been laid.

The Court: You may answer. Defendant excepts.

A. Yes.

Q. Do you remember when it was?

Mr. White: Same objection as last above and each of them.

The Court: Same ruling. Defendant excepts.

A. It was on the 21st day of November, 1917. I presume about 11 o'clock in the morning.

Q. I will ask you whether you notified the sheriff of this county that you saw him there?

Mr. White: Same objection as last above and each of them.

The Court: You may answer. Defendant excepts.

A. Why, I spoke to him about it.

STATE RESTS.

#### DEFENDANT'S EVIDENCE.

Mrs. William Rathbun, called as a witness on behalf of the defendant, testified as follows:

I live one mile and a half south of Ida Grove, on a farm and the wife of William Rathbun, and the mother of the defendant, Ernest Rathbun, and was home in the evening of the 4th day of November, 1917.

Q. While you were home that evening did Ray O'Meara and your son come there.

A. Yes sir.

Q. Do you know the hour they came that evening?

A. I do.

Q. That they arrived at home?

A. Yes sir.

Q. Now at what time of the evening did they arrive there?

A. Eight thirty-five.

Q. Now how do you determine that they arrived there at 8:35?

A. I was sitting at the table reading, and my son, Fred, was up in his room, and had gone up in his room, called me to set the alarm for him to arise in the morning at five-thirty, and I called to him to see the time, asked him the time so that I would have the clock right, and it was eight thirty-five, and at that time the boys in the yard, that is the boys drove in the yard.

Mr. Kindig: If it please the court we ask to have the statement of the witness concerning the time stricken out for the reason that it is entirely based upon hearsay. We had no opportunity to know what the answer would be, and therefore couldn't make our objection before, all she knows is what her son told her.

The Court: I will let the answer stand. State excepts.

Q. Did you have a clock in your hand at that time?

A. I did.

Q. What kind of a clock was it?

A. One of those small alarm clocks.

Q. What was the reason you asked your son the time?

Mr. Kindig: We object to that as calling for the conclusion of the witness, a self-serving declaration, and attempt to support hearsay testimony, incompetent, irrelevant and immaterial testimony.

The Court: You may answer. State excepts.

A. Why, so I would have both times the same, mine was a little slower.

Q. Do those little nickel clocks keep good time?

A. As a rule five or ten minutes difference in a day.

Q. After this conversation took place between you and your son, and after you heard the boys in the yard, did they come into the house?

A. Yes sir.

Q. Where did they go?

A. Up in Ernest's room.

Q. How long did Ray O'Meara stay in Ernest's room, if you know, or about how long?

A. Half or three-quarters of an hour.

Q. Then where did he go?

A. Well, he came down and went in the yard a little while, possibly ten minutes and then drove out.

Q. You didn't see him in the automobile?

A. No sir.

Q. Did Ernest go with him?

A. No sir.

Q. You was in the house all night that night?

A. All night.

Q. Was he there for breakfast?

A. Yes sir.

Q. What would you say as to whether or not he went out of the house after he came in with this boy that night?

A. He might have stepped out on the porch, but I am not sure.

Q. He didn't go away with him?

A. No.

Q. Did he stay there that night?

A. Yes sir.

Q. Was he there for breakfast in the morning?

A. Yes sir.

CROSS EXAMINATION.

I live one mile and a half south of Ida Grove. I was home Sunday, November 4, 1917. I was there all day was not in Battle Creek or Danbury. I know Mr. Harrington. I was not in his home that day. I do not know whether my husband was or not, when my son and O'Meara came to my home on the evening of 4th day of November, 1917, I was sitting in the room alone, my two young daughters were in the house and in bed. I heard the boys come in the yard. They came in with an automobile, I do not know where they left the car standing when they came in the house. When O'Meara went away he went away with the car. My son was away the night before and came in I think about eleven. We was not away Friday night. I do not think he was away Thursday night. Sunday before, my son was home part of the day. When the boys came in that night I said, "Hello, boys," that was a usual greeting. I was always fond of my boys, I didn't think there was anything significant in their coming in at that time. I paid no attention to them, and it made no particular impression on my mind. When O'Meara left I do not know which way he went. My son and O'Meara associate together and I have seen them in automobiles, and in Ford automobiles. I don't know whether O'Meara owns a Ford car or not. I have seen him in cars. Never saw him drive one.

RE-DIRECT EXAMINATION.

Referring to who was present in the house that night, Fred was there.

RE-CROSS EXAMINATION.

He was upstairs in his room that night. Whoever used the clock called the others. I called him. Fred sleeps upstairs. I sleep downstairs, when they came in I did not think of this case, nor the next day nor the next.

I had not heard of it, and I did not associate their coming in with this case, it was quite a usual thing for them to come in and go to Ernest's room.

Fred Rathbun, called on behalf of the defendant, testified as follows:

I live one mile and a half south of Ida Grove, with my father and mother. I am farming. I was at home on the evening of the 4th day of November, 1917, and while I was home that evening the defendant and Ray O'Meara came to the home. They came there at eight thirty-five. Ray O'Meara stayed a half or three-quarters of an hour. Ernest did not go away with him and was at breakfast the next morning

Q. How are you certain that it was eight thirty-five?

A. Well, I was upstairs, and I hollered down to have my mother set the alarm clock, and she hollered back and asked me what time it was, and I told her eight thirty-five.

Why were you having her set the alarm clock, or why was she setting the alarm clock?

A. To get up early and shuck corn.

Q. Did Ernest get up that morning and shuck corn?

A. Yes sir.

Q. And all of you were at breakfast together?

A. Yes sir.

#### CROSS EXAMINATION.

I went up to my room that night about eight o'clock, I knew I was going to get up and shuck corn in the morning. I knew I was going to get up at five-thirty, and knew it would be necessary to have an alarm clock to wake me. My little brother, my little sisters and my mother were all sitting around the table. I was the fellow that tried to switch off on the defendant here yesterday. I heard my brother and the defendant come in that night. I heard them drive in with a car. I heard Ray O'Meara leave in a car, and have seen my brother and Ray O'Meara in a Ford car before, I do not know whether Ray O'Meara has a Ford car. I have seen him driving one, it is a 1917 model. My father was not home that night, I couldn't tell you where my brother was Saturday night, or when he came home Friday or Monday nights. I have talked to Mr. Clark and Mr. White. I was home Saturday night after ten o'clock. I was home Sunday with the exception from two to five o'clock in the afternoon. I got home about a quarter after five. I didn't get home any later than that. I drove out with a team. I know I got home about five-fifteen, for I started from town with a team at five o'clock. I was not in a car that day and did not own one at that time. My father has a Ford car. I didn't have that car that day, I got mine about two weeks ago.

Mrs. William O'Meara, called on behalf of defendant, testified as follows:  
I live five and one-half miles north of Ida Grove. I have lived there

fourteen years. I lived one year in town during that time. I am the wife of William O'Meara, jr., and the mother of Raymond O'Meara. I have four children, three girls and one boy. Raymond was away with his car on Sunday, the 4th day of November, 1917. He got home that evening at ten o'clock. I was in bed, he came in and went to the cupboard and got a lunch. He remained in the home the rest of the night, and I saw him the next morning. I was in the kitchen getting breakfast when I first saw him the next morning.

He came into the kitchen. We did not have our breakfast when he came down. He had his shoes in his hand, and he sat down in a chair and he talked to me while he was putting on his shoes. He asked me whether he should husk corn for papa or a neighbor. The neighbor was Mr. Sass. I told him he would have to ask papa. He had been husking for this neighbor. His father was in the barn. He came to the house soon afterward, and he asked his father whether he should husk corn for him or for Mr. Sass. His father told him he couldn't have the team to husk for Mr. Sass, and that he couldn't have the Ford car any more. Raymond said, "If I can't have the Ford car I am going away. His father then told him he could go. Raymond says, "All right." His father told him the reason he was taking the Ford car away from him was because he hadn't been to church the day before. Miss Hargens had been sewing for me, and Raymond asked me if his father was going down to get the sewing girl. I said "yes," and he said, "Well, I am going to see if I can't ride along with him." So he asked his father and the father said, "No, you can't ride with me." So then when his father went he put his clothes in a suit case and tried to get in the car with him, but he wouldn't let him in the car. So after his father left, Raymond said, "Well, I will take the Ford car and go. I will show him," and so then he went to the shed and got the other car and got ready and left. My husband returned with the sewing girl between nine and ten o'clock, after he let her out he said, "I am going back and get that car," get Sheriff McLeod to get it, and then he turned around and went toward town. This Miss Hargens had been sewing for me before this time, the week before. She is a sister to the prosecuting witness. She is deaf and dumb.

The reason I know it was ten o'clock when my mother came home that night is that when he came in I got up and lighted a match and looked at the clock, and it was ten o'clock. I lighted a lamp, unlocked the door and let him in. He went to bed at eleven o'clock.

#### CROSS EXAMINATION.

My husband and the children were there that night, and no one else. My three small children, one of them is seven, one is five and one is three years old. They were in bed, my husband was in bed. He got up and he looked at the clock, too. We had two cars at our place at the time, one Ford, my son drives it. We got it the 24th day of July, it is a 1917 model. The next morning he wanted to go to town with his father, he had trouble with his father. He went away in a car and came back about three weeks afterwards. The next time I saw him he had been arrested. I do not

know the defendant, Ernest Rathbun. I live five and one-half miles north of Ida Grove. He left home on Saturday and was away all day Sunday until ten o'clock. I don't know where he was.

RE-DIRECT EXAMINATION.

The conversation had between the father and Raymond, came up before there was any talk about getting the sewing girl. The father did not tell him to leave. The son said he was going to leave. He packed his suitcase after he had the conversation with his father and he said he was going to leave, I got him the suitcase.

Lloyd Lynch, called as a witness on behalf of the defendant, testified as follows:

I have lived in Ida Grove all my life. I am engaged in the dray business, I am acquainted with the defendant, Ernest Rathbun, and I saw him on the evening of the 4th day of November, 1917. I saw him at the Baxter Reed bank coming down in a car. He was in a Ford car 1917 model. I know the O'Meara car and this was the O'Meara car. Ray O'Meara was in the car. When it got to the Baxter Reed bank corner, they stopped and I got in with them driving two blocks west to the Shirk corner. Then I got out and they went south. I saw them going over the hill two blocks south from where I got out. I live the first house west of the Shirk Garage, this was between eight and eight-thirty.

CROSS EXAMINATION.

Q. See, they call you Tuffy Lynch, don't they?

Mr. Clark: We object to that as misconduct, improper, and the statement made for the purpose of discrediting the witness.

Mr. Kindig: I think we have a right to show this jury what this witness' name is and how he is known.

The Court: I will let it stand.

A. Yes sir.

I was on the Baxter Reed corner standing there. I saw them over by Simpson's hardware store, coming down the street. I have known the defendant for quite a while. I couldn't say how long, I have associated with him, played ball with him, went to dances. I have known him intimately for a long time. I became associated with O'Meara when he started going to school. I can not say when it was, but have known him intimately since that time.

Q. Do you remember of having a conversation with a couple of men the other day as to the time this was when you saw the defendant in town this particular night?

Mr. White: Objected to as too indefinite, if it is for the purpose of impeachment.

Mr. Kindig: It is just a preliminary question.

The Court: He has asked him if he remembers of having a conversation; answer. Defendant excepts.

A. Yes sir.

Q. Do you remember the time you told them it was?

A. I didn't tell them.

Q. Uh-huh.

Mr. Clark: Uh-huh. Have you got that in the record?

Mr. Kindig: You take care of your side of the table and I will try and take care of mine.

Mr. White: If the court please, we object to the manner and conduct of the counsel for the reason that it is prejudicial and to the remarks made after the witness answered.

The Court: Neither side need to indulge in this.

Q. Those men were Philo Van Wagoner and O. O. Rock, were they not?

A. I guess they were the men.

Q. At that time didn't you in words or in substance tell them that you got into the car with Ray O'Meara and this defendant in Ida Grove, Iowa, and rode two blocks with them and it was nine o'clock?

A. No sir, I did not.

Mr. Clark: I would like to have Mr. Rock come forward.

Mr. Clark: Come out in here where we can get a look at you.

RE-DIRECT EXAMINATION.

Q. Is this one of the men they refer to?

A. Yes sir.

Q. And he is one of the men that you was asked if you did not have a conversation with?

A. Yes sir.

RE-CROSS EXAMINATION.

I know Philo Van Wagoner and know him quite well, he was the other person.

RE-DIRECT EXAMINATION.

I had no conversation with them in relation to the time. I am twenty years old and live at home.



Q. How long have you made your own living, if you have?

A. Three or four years.

Q. And how long has it been since your father lived in the home with your mother?

A. Probably twelve years.

Q. Have you or have you not been contributing your earnings to the support of the home?

A. Yes sir.

Q. For your mother and your brothers and sisters?

A. Yes sir.

Q. And there is where your wages go is it?

A. Not all of them, most of them.

Q. Now you may state the conversation that you had with this man Rock, what he said to you and what you said to him.

A. Well, he came down when I was loading up coal, or just ready to load up coal, and he asked me if I knew Mr. O'Meara and Mr. Rathbun. and I said yes sir. He asked me if I seen them that night, and I said, "yes sir," and then he asked me if I knew anything about it, and I told him I rode down the street with them that evening, and he asked me where I got in and how far I rode, and I told him from the Baxter bank to Shirk's garage, and he asked me what time it was, and I told him. I did not know for sure, but I thought it was eight or around eight o'clock, and he said, "would you swear it was not before seven," and I said "No," and he said, "would you swear that it was not later than nine?" I said "No sir," and he asked me which way they went when they let me out, and I told him they went south.

Q. Did you or did you not tell him the same as you have told upon this witness stand?

A. Yes sir.

Q. You said you knew the Ray O'Meara car. Is there any particular distinction why you would know this particular O'Meara car, is there any difference in that car than any other car that you know, Ford car?

A. Well, I know the car has got two glasses out of the lights.

Q. That is in front?

A. In front.

Q. And did you notice those were out prior to the 4th day of November, 1917?

A. I have noticed them before that time, and I noticed them at that time.

William C. Rathbun, called on behalf of defendant, testified as follows:

I live about two miles south of Ida Grove. I am a farmer by occupation, and Ernest Rathbun is my son. I saw Ray O'Meara on Monday the 5th day of November, 1917. I saw him at the elevator where my men were unloading corn. It was about half-past eleven. I invited him in to dinner and he said he had dinner down town. I had a talk with Ernest down by the water tank. He was unhitching his team. He says Ray O'Meara was going away to husk corn and he wanted to go with him. He asked me whether or not he could go. He was husking corn for Fritz and I told him to see Fritz and whatever he said. He went with O'Meara and they drove off in the car together. I didn't see him after that time until the 21st or the 22nd. I wouldn't be sure one or the other of those days. I saw him in Grant township.

CROSS EXAMINATION.

I knew my son went away and I knew he went away with Ray O'Meara to husk corn. Someone told me the sheriff of this county was looking for my son. He never spoke to me about it nor did I speak to him. I never saw the sheriff, and I did not know where my son was at that time. I told him nothing about the boys when I saw them in Grant township. He was at his brother's near the Soldier. It is half way between Schleswig and Ida Grove. I next saw him after that in town. The next time I saw him he was arrested.

William O'Meara, called on behalf of the defendant, testified as follows:

I live five and one-half miles north of Ida Grove, lived there for fourteen years. Raymond O'Meara is my son, and he was home in the evening of the 4th day of November, 1917. He got home at ten o'clock, and stayed home that night, and was there the next morning. I had a conversation with him in the house on the presence of my wife.

Q. What was said?

A. He asked me if he should shuck corn for Sass or for me, and I told him "You wasn't home last night with the car," and I says "You can't have it any more," and I says, "You can't have the team to pick corn for Sass."

Q. Did you say anything else to him as to why he couldn't have the car any more?

A. Yes, because he wasn't to church the Sunday before.

Q. Had you talked to him about going to church?

A. Yes, I had.

Q. And had you said anything to him about the car when you were talking to him about his going to church?

Mr. Kindig: Same objection if the court please. I would like to have this objection stand to all this.

The Court: Yes, it may. Answer. State excepts.

A. I told him if he didn't go to church that I wouldn't let him have the Ford car any more.

Q. What more was said that morning between you and the boy in the presence of his mother?

Mr. Kindig: Same objection.

The Court: Same ruling.

A. Well, I was going to town and he asked me if he could ride to town with me and I told him no. I was going down to get a sewing girl, and was a Miss Hargens.

Q. What did the boy say when you told him he couldn't have the car any more?

Mr. Kindig: Same objection.

The Court: Same ruling. State excepts.

A. He said he was going to quit.

Q. Did you see him make any preparations to leave the home?

Mr. Kindig: Same objection.

The Court: Same ruling. State excepts.

A. Yes, he went up stairs and packed his suitcase.

Q. Was he out at the car when you left?

Mr. Kindig: Same objection.

The Court: Same ruling. State excepts.

A. No, he was coming out when I left the gate, he was coming out of the gate.

Q. Where did you next see the boy?

Mr. Kindig: Same objection.

The Court: Same ruling. State excepts.

A. Seen him coming to town, passed him on the way. He was coming and I was going back with the sewing girl. I let the girl out, turned around and came back to town, and saw Tom McLeod, the sheriff.

Q. What did he say to him?

A. I wanted him to go and we would go after the car.

Q. And did he say he would go with you or what did he say?

Mr. Kindig: Same objection.

The Court: Same ruling. State excepts.

A. Yes, he said he would go.

Q. What time of the day was it that you was talking to Tom McLeod?

Mr. Kindig: Same objection.

The Court: Same ruling. State: Same objection.

A. It was about ten or half past as near as I can remember.

Q. Did you and the sheriff go to see if you could get the car?

Mr. Kindig: Same objection.

The Court: Same ruling. State excepts.

A. No. Tom said, "You wait around awhile." He said, "I have to go up to the court house, and you wait around and get your car ready and we will go as soon as I get back."

Q. Well, where was it Mr. O'Meara that you and the sheriff had this talk?

Mr. Kindig: Same objection.

The Court: Same ruling. State excepts.

A. In Anderson Lipton Bank.

Q. Did you see him again?

Mr. Kindig: Same objection.

The Court: Same ruling. State excepts.

A. Yes, he came down town then after he was up to the court house, and I met him in front of Lainson's restaurant. I had lunch there, and I was just coming out and met Tom right in front of Lainson's restaurant, and he said "Are you ready to go?" I said "yes." He said, "where is your car?" I says, "down in front of Pilcher's." He says, "I don't believe there is any use of going to Denison."

I bought this Ford car for the boy. It is a 1917 model. The car had non-skid tires behind and smooth tread in front, and those are the kind of tires that has been on the car all the time.

#### CROSS EXAMINATION.

Ray O'Meara got home that Sunday evening at ten o'clock. I do not remember what time he got home the Sunday before or the Tuesday before. I had told him before this that he shouldn't be running around with the Ford car. I started to town. I met him coming into town when I was going back home with the sewing girl. The sewing girl was a deaf and dumb person. He knew she was a Hargens girl. I didn't see him again until after he was arrested. I do not know where he was when he was gone.

## RE-DIRECT EXAMINATION.

Q. Did you have any talk with your son after your conversation with him at the home that morning?

A. No sir.

Q. And is it a fact or not, that notwithstanding what the sheriff said to you about your son being suspected or he suspecting him you still wanted him to go with you to get the car away from the boy?

A. Yes sir.

## RE-CROSS EXAMINATION.

I have no personal knowledge of my son's whereabouts on the afternoon of November 4th, 1917. I don't know where he was at seven, eight or nine o'clock.

Miss Jane McCormick, called as a witness on behalf of defendant, testified as follows:

I am one of the teachers of the public schools, principal of the high school. I was here during the school year 1916-1917, and know Raymond O'Meara. He was a student the school year 1916-1917, attended the high school 110 days.

## CROSS EXAMINATION.

He was a student in the high school, not in the grade school.

Mrs. Luella Morley, called as a witness on behalf of the defendant, testified as follows:

I have been teaching in the public schools of Ida Grove since 1915, and I know Miss Elsie Hargens. I teach the eighth grade, have taught that grade ever since I have been here. She was in my grade as a student. She was promoted to my grade from the 7th.

Miss Ida Knudsen was a student in my grade from 1916 to 1917.

William Moore, called as a witness in behalf of defendant, testified as follows:

I reside in Ida Grove, Iowa, have resided here for about fourteen years. Know Ernest Rathbun and Philo Van Wagoner. Saw Van Wagoner call Rathbun out of the pool hall in Ida Grove, Saturday evening, and understood he arrested him.

## CROSS EXAMINATION.

Van Wagoner is considered as an officer in Ida Grove, he wears a star. I understand he arrested the boys that night.

Ellis Piper, called on behalf of defendant, testified as follows:

I have lived in Ida Grove sixteen years, live at home and am sixteen years old.

Q. I will ask you whether or not you had a conversation with a girl by the name of Fern Sammons in Battle Creek, on or about the 28th day of October, 1917, wherein you told her in the presence of Ray O'Meara and Ernest Rathbun that Ernest Rathbun's name was Johnson?

A. No sir.

CROSS EXAMINATION.

I have talked with her. I don't know just when it was. It was in Battle Creek, that is the only place. I don't know Miss Sammons. I know of her, I know the defendant, have known him five or six years, and know Ray O'Meara three or four years. I have seen them frequently and been auto riding with them, and been in Battle Creek, Iowa, with them. I have heard and seen them talk with Fern Sammons.

Walter Anderson, called on behalf of the defendant, testified as follows.

I live in Ida Grove, have lived here all my life. I am a laborer. I am acquainted with Ernest Rathbun and Ray O'Meara. I know the prosecuting witness in this case when I see her.

Q. Where did you see her the first time to know her?

A. Coming up from the Old Town.

Q. And where was she when you saw her to know her?

A. Up above the postoffice on that corner?

Q. When you first knew her was at this corner south of the postoffice.

A. Yes sir.

Q. How did you come to know her at that time?

A. One of the boys I was sitting with told me it was Elsie Hargens.

Q. Was this the evening of the 4th of November, 1917?

A. Yes sir.

Q. Now what did you do here?

A. The boys dared me to take her home.

Q. Who was present when that conversation took place?

A. Walter Miller, Luke McCabe, and Louis Fuester.

Q. What did you do then?

A. I walked up to her and asked her if I couldn't see her home?

Q. And where did you get in her company first?

A. The corner south of the postoffice.

Q. Did you have any conversation with her?

A. Yes sir.

Q. What was the conversation?

A. I asked her "If I couldn't see her home?" She said, "I don't care." I asked her "if her name wasn't Elsie Hargens." She says "How do you know." I says "Luke McCabe or Happy Miller one of them told me your name was Elsie Hargens.

Q. Then what direction did you go?

A. Went a block west, down to Snell's corner, on the Taylor street corner, then about a block south, I left her either at the third or fourth house, I do not remember.

Q. What did you say to her then?

A. I asked her "If I couldn't have a date for Monday night." She said "She couldn't very well get away because she was going to wash all day Monday." I said, "How about Friday night." She says, "Why yes, I guess so."

Q. Was that the girl you was with. (Indicating the prosecuting witness.)

A. Yes sir.

Q. Was this on Sunday the 4th day of November, 1917?

A. Yes sir, in the evening around ten o'clock.

Q. How long did you talk with her there at the house, if you did?

A. Well, I talked as far as I know about ten or fifteen minutes, I won't say how long it was.

Q. You talked with her there a short time?

A. Yes sir.

CROSS EXAMINATION.

Q. You didn't rape her did you Jokey?

Mr. Clark: That is objected to as improper and misconduct.

Mr. Kindig: I am not sure just what the purpose of this testimony is.

Mr. Clark: Object to the statement, as improper and misconduct.

The Court: I don't think he needs to answer that.

Q. Where did you first see the girl?

A. On the corner a block south of the postoffice.

Q. What was she doing when you saw her?

A. Going home.

Q. Where was she when you first came up to her?

A. South of the postoffice.

Q. At that time what did she do, when you first went up to her? Did you notice anything unusual about her?

A. When I first walked up to her she acted a little nervous but I thought it was on account of me walking up there.

Q. She acted a little nervous when you first came up to her?

A. Yes sir.

Q. Was her hair hanging down?

A. I didn't notice that.

Q. You don't know whether you went to the third or the fourth house as I understand you?

A. No sir.

Q. To which part of the house did you go?

A. I went in front on the sidewalk, right in front of the house on the main sidewalk.

Q. You didn't leave the main sidewalk?

A. No sir.

Q. About how long did you stay there?

A. I should judge ten or fifteen minutes.

Q. When you were standing up in front of the house talking to the girl fifteen minutes did you see whether or not her hair was hanging down, or whether or not there were leaves on her back?

A. No sir.

Q. Was it a light night?

A. Not exceptionally dark.

Q. When you left her which way did you go?

A. North.

Q. Where did you leave the boys whom you said you were with when you started to go with the girl?

A. On the corner.

Q. Where were the boys when you next saw them?

A. Fuester was coming behind me from the postoffice, and Luke McCabe, I don't know which direction they did come, but we met on the Baxter corner.

Q. Where did you meet Louis Fuester?

A. On Baxter's corner, he came up behind me.



Q. And that is the first time you met him after you had been with the girl?

A. Yes sir.

Q. See, you are under arrest aren't you for stealing an automobile?

Mr. Clark: That is objected to as incompetent, irrelevant, immaterial, misconduct and improper.

The Court: I don't think that is proper. State excepts.

RE-DIRECT EXAMINATION.

Q. Now did you see anything in her appearance there would indicate that she had been mussed up or had been in trouble that evening when you came up?

A. No sir.

Q. She talked all right?

A. Yes sir.

Q. And didn't act at all unnatural only just a little frustrated when you went up there and asked her?

A. That is all.

Q. Did you joke and laugh as you went down?

A. Didn't joke very much.

RE-CROSS EXAMINATION.

Mr. Clark is my attorney. The girl was absolutely calm and collected after I walked up to her, as far as I know her clothing were absolutely normal and smooth just the same as they ordinarily would be. She was not excited, absolutely normal, and I noticed nothing in the world out of the way with her. I was going to meet her at the postoffice Friday night. I did not go there to meet her and did not meet her anywhere Friday night, nor any place after that night.

RE-DIRECT EXAMINATION.

Q. What was the reasons that you didn't meet her there?

A. I heard about this crime and I didn't think she would be there.

Q. It was after you took her home that you heard about the crime.

A. Yes sir.

Q. I will ask you whether or not when you talked about going there Friday night. if she asked you any particular question?

A. No sir

Q. To prompt your memory did you say anything about a picture show?

A. Why, she asked me where we would go Friday night, and I says why, the show or something like that.

Q. You talked with this man Rock?

A. Yes sir.

Q. You have talked with Johnston?

A. Yes sir.

Q. And the attorneys in this case?

A. Yes sir.

Q. You told them this story in Johnston's office?

A. Yes sir.

Q. What did this man Rock say to you?

Mr. Kindig: We object to that as not proper re-direct, immaterial.

The Court: Sustained. Defendant excepts.

Q. I will ask you if Mr. Rock didn't call you a liar there?

A. Yes sir.

Q. I will ask you if he didn't call you a low down sneak?

Mr. Kindig: If it please the Court we object to this as absolutely improper, immaterial, leading and suggestive and argumentative, and no place in this case.

The Court: Sustained. Defendant excepts.

Q. Now I will ask you if you had a conversation in relation to this matter you have testified to in the presence of the prosecuting witness, also in the presence of Bert Johnston, the State's attorney and Rock and Ridsen?

Mr. Kindig: Same objection.

The Court: Sustained. Defendant excepts.

Q. Was you in Johnston's office in the presence of those gentlemen when they brought the prosecuting witness in?

A. Yes sir.

Q. And this was the same girl as sits here?

A. Yes sir.

Q. And did they or did they not at that time ask you whether or not that was the same girl?

A. Yes sir.

## RE-CROSS EXAMINATION.

I thought she would not want to keep her date with me Friday night for the reason she had the trouble at the rendering works or near there.

I don't know whether she came from the rendering works or not that night, or where she came from. I made the date with her.

## RE-DIRECT EXAMINATION.

Q. You knew nothing of it until you had taken her home did you?

A. Nothing until the next day.

Walter Miller, called on behalf of defendant, testified as follows:

I have resided in Ida Grove, Iowa, twenty-one years. I am a laborer, am twenty-one years of age, and I know Walter Anderson. I was on the corner of Main and Second street near the Johnson drug store corner with him on the evening of the 4th day of November, 1917. I saw the prosecuting witness that evening, the first time crossing the street from Simpson's hardware store over to the Baxter Bank corner.

Q. What, if anything, was said there in relation to Mr. Anderson going with her?

A. Well, we dared him. We saw the girl coming and we dared him to go over and get a date with her, and he wouldn't go at first, but we kidded him along and he went.

Q. Now how did he go, did he go by the crossing?

A. He cut across the street, went from the drug store corner across by the barber shop, near the alley.

Q. Then where did he go?

A. Went up the street and caught her at the corner.

Q. Did you follow him?

A. Yes sir.

Q. How far did you follow him?

A. Down to the house.

Q. What house was it?

A. It was the second house from the corner.

Q. Second house from the corner?

A. North of Fourth street on Taylor street on the east side of the street.

A. Yes sir.

Q. Was it next to the Finley property?

Q. Did you go by the house that evening after he had left the girl?

A. Yes sir.

Q. Did you or did you not see her in the house?

A. I saw someone up in the room.

Q. Was the window of the room open to the west?

A. Yes sir, there was two windows open.

Q. Did you hear her make any statement there?

A. Yes sir.

Q. What did she say?

A. She said one of the boys gave his name as Albert Johnson.

CROSS EXAMINATION.

It was the second house from the corner, not the third or fourth. It was about 10:30. I looked at a clock, but I may have been mistaken. I had a talk with you the other day and told you it was 10:30 and I told you I was sure of it, and I told you I looked at the clock at Baxter's corner. I saw Anderson talking to the girl, first standing up at the corner one block south of Baxter's bank near the vacant lots. I also saw them standing out in front of the house. I was laying between the third and fourth house from the corner. I couldn't say how long they stood out there and talked. They were standing off the edge of the side walk. I did not see him leave. I heard him go. When he left I was laying on the north side of the third house. I saw some one go around to the back of the house, and when she went around to the back of the house until she got into the house, I heard nothing and I saw nothing more, I didn't hear anybody call. I was about fifty feet from the girl. I couldn't say as to whether she was excited or nervous. She apparently was perfectly willing to stand and talk, nothing unusual about her actions, or her appearance, and nothing that attracted me to her hair or to her coat. I have known Rathbun ever since he has been old enough to come to town, and have known O'Meara for the last three years. I have been with them a good deal around town and around the surrounding country.

Q. When did you last see O'Meara?

Mr. Clark: We object to that as incompetent, irrelevant and immaterial and not proper cross examination.

The Court: You may answer. Defendant excepts.

A. I seen him that afternoon.

Q. What afternoon?

A. Sunday, about four-thirty.

Q. In Ida Grove?

Mr. Clark: That is objected to as incompetent, irrelevant and immaterial and not proper cross examination, nothing said here in relation to O'Meara.

The Court: Answer, if I get the question right. (Question read to the Court.)

The Court: Answer. Defendant excepts.

A. You said the last time I seen him, was the question, the last time?

Q. That was what I asked you, Mr. Miller, the last time you saw him?

Mr. Clark: Same objection.

The Court: Answer. Defendant excepts.

A. I seen him Monday afternoon, or Monday noon about a quarter of twelve as I was going home to dinner.

Q. Where did you see him at that time?

Mr. Clark: That is objected to as incompetent, irrelevant and immaterial and not proper cross examination.

The Court: Answer. Defendant excepts.

A. The Standard Oil Company filling station.

Q. Did you have a talk with him there?

Mr. Clark: Same objection.

The Court: Answer. Defendant objects.

A. Yes sir, he called me over. I was going down the sidewalk and he called me over to the car, and he says "Did you hear anything about the deal we pulled up in the grove," and I says "No."

The Court: He wasn't asked as to that part of it, it will be stricken. State excepts.

Louis P. Fuester, called as a witness on behalf of defendant, testified as follows:

I was residing in Ida Grove, Iowa, on the 4th day of November, 1917, I am a baker, but was painting at that time. I resided in Ida Grove two years. I now reside in Sioux City. I was present on the corner with Luke McCabe, Eddie O'Brien, Walter Miller and Walter Anderson, in Ida Grove, Iowa, on the evening of the 4th day of November, 1917. I saw Mr. Anderson go up and accost a lady walking on the west side of Main street, above the postoffice. He went with this lady one block west to Snell's corner, and they proceeded up in the block where Nimrock's boarding house is, toward the other end of the block, as near as I can recollect, it was the third house from the corner, I didn't pay any particular attention to it at the time as everything done then was in a jok-

ing way, and we boys followed up there. I wouldn't know whether it was the second or third house from the corner. It was up at the other end of the block. I wouldn't know the girl if I saw her. I didn't notice that she was crying. She didn't seem to be suffering in any way walking up the street there, as far as her appearance going up there is concerned. I didn't see that there was any leaves or anything of that kind in her hair.

## CROSS EXAMINATION.

It was rather dark that night. I didn't see the girl very well. I paid no attention to her with the exception that I saw her walking up the street. All of us boys were together when Anderson started out to walk up the street with this girl. I didn't know what the girl's name was until I came down here to testify. I would say it was between ten or ten-thirty. I passed them where the other boys separated from me in the alley. They went the back way and I went the front way, and I saw Anderson talking with her in front of the house. They didn't talk very long, five or ten minutes. I met Anderson next practically on the same place where he met the girl only a trifle down the street toward the postoffice. McCabe and O'Brien were the first of the boys to meet Anderson after he left the girl. I met him after the other boys met him. I came up from behind.

Raymond McCabe, called on behalf of the defendant, testified as follows:

I have lived in Ida Grove about eleven years, and am a son of Luke McCabe.

Q. Do you know this lady sitting here, Miss Elsie Hargens?

A. Yes sir.

Q. How long have you known her?

A. About three years.

Q. Where did you first meet her or get acquainted with her?

A. She worked for my brother.

Q. Which brother?

A. Edward McCabe.

Q. Where does he live?

A. He lives on Taylor street, in Ida Grove.

Q. Was he living on Taylor street when you first got acquainted with the girl?

A. No, he was living on the next street a block west.

Q. Was Miss Hargens a domestic in your brother's home?

A. Yes sir, she was working there.

Q. Do you know Walter Miller, Walter Anderson and Mr. Fuester, the baker?

A. Yes sir.

Q. Did you see those gentlemen on the evening of November 4th last?

A. Yes.

Q. Where did you see them?

A. Barney Johnson's drug store corner.

Q. Did you see Miss Hargens that evening?

A. Yes sir.

Q. Where did you see her?

A. I seen her passing under the town clock at Baxter's bank. She was going south.

Q. Was there anything said in your presence and hearing there when you boys were on the corner to Walter Anderson about his crossing the street and walking home with her?

A. Yes sir, we dared him to take her home, he took her home.

Q. Whereabout, if you know, did he meet her?

A. He met her south of the postoffice, up on the corner where the militia camp was last summer.

Q. Did he walk with her?

A. Yes sir.

Q. Which direction if you know?

A. He went a block west from the corner, then went south not quite a block.

Q. What did you see as far as they were concerned when they got down nearly a block?

A. I just saw them walking along.

Q. Do you know about how long he was gone?

A. Not over ten or fifteen minutes.

Q. What time of night was it, Mr. McCabe, if you now?

A. It was between ten and ten thirty.

#### CROSS EXAMINATION.

I know Mr. Fuester, he was there when the talk was had with Anderson in regard to going home with the girl. I knew who the girl was. I told

the boys who she was. It was between ten and ten thirty. I didn't look at the clock. I didn't see or hear Anderson talk with the girl at the house. I was right back of the house, about thirty-five or forty feet from the girl. I didn't see her go into the house. I didn't notice her hair hanging down, saw nothing extraordinary about her. I knew her quite well and she looked absolutely normal and perfectly calm, not distracted at all, apparently having a good time. My brother married an O'Meara.

RE-DIRECT EXAMINATION.

I was in Mr. Johnston's office with Mr. Kindig and his detectives. They got me to make an affidavit. They talked to me up there. I don't know exactly the time of night it was.

RE-CROSS EXAMINATION.

I am not certain that it was after ten o'clock, it was ten or ten thirty.

RE-DIRECT EXAMINATION.

I looked at the clock before ten, and it wasn't ten o'clock at that time.

RE-CROSS EXAMINATION.

I am sure it was ten o'clock now, because it was close to ten when I looked at the clock.

J. M. Reese, called on behalf of defendant, testified as follows:

I live in Ida Grove, and have for a good many years. Am a member of the school board, have been for twelve years and am president of the board. I have been president for twelve years. Have two public school buildings in town. They are about fifty or sixty feet apart. In the year 1914, 1915, 1916 and 1917 the grade school opened the same time in the morning as the high school, let out the same time at noon and took up the same time afternoon, and closed the same time in the afternoon. The custom has been to open the buildings at eight-thirty, and the grounds are always open to the children high school or grade. In playing upon the grounds the grade and high school students intermingled.

CROSS EXAMINATION.

I don't know what children were in the assembly room at any time, and don't know what children played around the school grounds. I don't know when Miss Elsie Hargens got to school. She may have gone home at noon, and I would know nothing about when she would come back. I don't know whether she ever played with defendant or saw him.

RE-DIRECT EXAMINATION.

I think Raymond O'Meara played on the football team during the falls of 1914, 1915 and 1916.



## RE-CROSS EXAMINATION.

I know the last year he was in school of his dropping out in the winter time. I don't know who watched him play football, and don't know whether Elsie Hargens did or not, or whether she ever saw him practice, or wearing a football suit.

H. A. Moorehead, being called as a witness on behalf of defendant, testified as follows:

(Exhibit 2 marked as defendant's plat and introduced without objection.)

"Exhibit 2" is a plat of the road running west from what we call the "Old Town," where it diverges running north on the Russell road and southwest past the mill property. I have Moorehead avenue marked on "Exhibit 2." That is a street or avenue in the Old Town of this city, and this plat commences at a point where Moorehead avenue intersects with the Ida county and Woodbury county road. Moorehead avenue passes the depot, runs northeast and connects with the Ida and Woodbury county roads. This intersection is marked 3,295 feet. That is the distance from the intersection of Moorehead avenue, to a point on the road just west of the Maple river bridge, the point marked "Prior's residence" and "678 feet" is the distance from about the center of the road to the nearest point of Mr. Pryor's residence. The point marked "375" feet, this is the distance from the center of the road a short distance west of the west end of the Maple river bridge to the intersection of divergence of the road running to Russell's and the road running to W. C. Moorehead's house; "740" feet is the distance from the west end of the Maple river bridge to W. C. Moorehead's residence. There is nothing to show the distance from the west end of the river bridge to the rendering works but I should judge without measuring that it is between three and four hundred feet. It is about one-half mile from the depot to the intersection of Moorehead avenue with the Ida and Woodbury county road.

P. E. Pryor, being called on behalf of the defendant, testified as follows:

I reside in the northwest part of Ida Grove. I am a butcher. There is a bridge over the Maple river northeast of my place. I was home all evening on the 4th day of November, 1917. I did not hear any screams that evening.

## CROSS EXAMINATION.

I was inside my house that night. There are a few trees between my house and the bridge, and the distance is about six hundred feet.

Lowell McShane, being called as a witness on behalf of the defendant, testified as follows:

I live northwest of Ida Grove, on William Moorehead's farm. Been living near Ida Grove for ten years. I was at my home on the evening of the 4th day of November, 1917. I was not home all that day. I came in on the evening train the "local." I had been to Danbury. It was due

here then at a quarter after eight. I walked across "Cobb's pasture" from the train home that evening. I got in the Ida and Woodbury county road just east of the river bridge. "Exhibit 2" where it is marked bridge is the bridge I refer to. I saw a car that evening just west of the bridge. It wasn't right close to the bridge. It was standing on the road going into W. C. Moorehead's. It was about three or four rods from the bridge, there was four persons in the car, there were two men and two girls. I passed within three or four feet of the car. I heard them talking and laughing. I live in the Moorehead house. I got home that night about nine o'clock. I heard no screaming. After I got home I sat around awhile before I went to bed. My windows were open.

#### CROSS EXAMINATION.

I got home about nine o'clock. It might have been a little later. I started home from the depot at about half-past eight. I got out to my home at about nine o'clock. I had been visiting in Danbury that day with my sister-in-law. After I got home I didn't go back down to the road leading into the rendering works. My house is not hidden from the bridge by a hill and timber, there is some timber between the house and the bridge.

#### DEFENDANT RESTS.

#### STATE'S RE-BUTTAL EVIDENCE.

Barney Plank, called on behalf of the state, testified as follows:

I live in Ida Grove, Iowa. Have lived here for twelve years. I am a cement and bricklayer. I was in Ida Grove on the 4th day of November, 1917, and in the evening of that day. I know Fritz Rathbun. Known him ever since he was born. I saw him that evening a little bit before the train came in. I think about 7:28 that evening. I saw him down at the Stern's Garage, he told me he was going home early. I should judge he left about 9:30. He was constantly there.

W. A. Stern, called on behalf of the state, testified as follows:

I have lived in Ida Grove seventeen years. I run a repair shop. I know Fritz Rathbun, have known him twelve or fifteen years. I saw him on the evening of the 4th day of November, 1917, I would think it was 7:30 at my garage. Barney Plank was there. I can't be positive when he left that night but I believe between ten and eleven o'clock. He was there all the time.

Fred Stough, called on behalf of the state, testified as follows:

Lived in Ida Grove seventeen years, working in a grocery store. I am acquainted with Walter Anderson. I have known him six or seven years, and I know his reputation for truth and veracity in Ida Grove, Iowa, and it isn't considered very good.

P. O. Van Wagoner, called on behalf of the state, testified as follows:

I have lived in Ida Grove twenty-seven years. I am city marshal. Been city marshal for sixteen years. I know Walter Anderson, known him ever since he was a child, and I know his reputation in Ida Grove, Iowa, for truth and veracity, and it is bad.

CROSS EXAMINATION.

I am the father of Philo Van Wagoner, who has been very active in this matter.

RE-DIRECT EXAMINATION.

My son is assistant marshal.

RE-CROSS EXAMINATION.

My son was sworn in as an assistant marshal, but has not qualified as a deputy by giving a bond. I do not know whether Walter Anderson was before the grand jury in this cause or not.

Mr. Clark: Call Walter Anderson.

The Sheriff: Walter Anderson isn't in the court room.

Mr. Clark: Will it be conceded by the state that he testified before the grand jury, and was subpoenaed by the state as witness for this trial.

Mr. Kindig: Yes sir.

DEFENDANT'S SUR-REBUTTAL.

Fred Rathbun, called in sur-rebuttal, testified as follows:

Q. Was you on the evening of, or the afternoon of, the 4th day of November, 1917, in a place known as the Stern's garage in Ida Grove, Iowa?

A. I was.

Q. When did you leave that building that evening?

A. A little before five o'clock.

CROSS EXAMINATION.

Q. And you were not there after that hour that evening?

A. No sir.

William H. O'Brien, called on behalf of defendant, testified as follows:

I live in Ida Grove, Iowa, I am a mason. I was in what is known as Stearn's garage on the afternoon and evening of November 4, 1917. I saw Fred Rathbun there. I know about the time he left. It was about five-thirty or six-thirty. He did not come back again later in the evening. I was there all that evening and I was there as late as ten o'clock that evening.

## CROSS EXAMINATION.

I have known Fred Rathbun all his life. I have known Ernest Rathbun ever since he has been large enough to come to town, and I know their father. I have known him all my life. I went to the garage about one o'clock in the afternoon. I went to get something to eat at six or six-thirty. I couldn't swear that Fred was there when I went to supper, but I know he was not there when I came back. I got back between 6:30 and 7 o'clock. I don't think he was there when I left for supper. I talked to Mr. Clark some. I did not talk to Mr. White. I did not tell you in a conversation that I did not know who was there, nor did I tell you or say that I did not know when he left.

Frank McNamara, called on behalf of defendant, testified as follows:

I have lived in Ida Grove twenty-one years. I am twenty-one years old. I work as a farm hand. On the 4th day of November, 1917, I was working for Mr. Rathbun. I was not working that Sunday.

Did you telephone to Fred Rathbun on or about six o'clock that evening?

A. Yes.

Q. Had you, prior to that time, talked with him over the phone at different times?

A. Yes, lots of times.

Q. Did you know his voice?

A. I did.

Q. Where did you call from?

A. I called from home once, and from Mess' garage once.

Q. What time did you call from Mess' garage?

A. Right around a quarter to eight.

•Q. When you called him from home, who answered the phone?

A. His mother.

Q. When you called on the phone that evening at six o'clock did you talk to Fred Rathbun over the phone.

A. Yes.

Q. Did you call their home phone number?

A. I did.

Q. The second time a quarter to eight, as you say, did you talk to Fred Rathbun?

A. I did.

Q. Did you call the home number?

A. I did.

Q. And in both of those conversations was it Fred Rathbun that was at the other end of the phone?

A. Yes.

CROSS EXAMINATION.

I have known Fred Rathbun six or seven years, and known the defendant four or five years. I have associated with Fred and the defendant some, and have worked for Mr. Rathbun. I called him twice that evening, right around eight and six o'clock. I was visiting at Nelson's that night, got to their place about eight o'clock. It is about three-quarters of a mile from Mess' garage. I walked out there.

A. W. Cameron, called on behalf of the defendant, testified as follows:

I live in Ida Grove, am an ice cream manufacturer, and I know Walter Anderson and I know his reputation in and about Ida Grove for truth and veracity, and it is good.

CROSS EXAMINATION.

Q. "Jokey" Anderson is quite a model young man, isn't he?"

Mr. Clark: That is objected to as incompetent, irrelevant and immaterial, asking for a conclusion, misconduct on the part of the state's attorney.

Mr. Kindig: You asked him for a conclusion.

The Court: The inquiry is as to veracity, truthfulness, nothing further than that, so that question would not be pertinent to the inquiry. State excepts.

Q. You were in the army with Anderson, weren't you?

A. Yes sir.

Q. And while you were in the army you made lots of complaints, didn't you, to your superior officers about his truth and veracity.

A. None about his truth and veracity.

Q. How long have you known the defendant?

A. I have known who he was for about ten years. I knew him personally for about one year.

Q. Do you know his brother, Fritz?

A. I didn't know he had a brother Fritz.

Q. You know the defendant, Ernest Rathbun?

A. I do.

Q. How long have you known him?

A. I have known of him about ten years.

Q. You have associated with him some?

A. I was with him on the border.

Q. And you have been with him in Ida Grove?

A. No, he has been in my place of business, but I have never been with him in Ida Grove.

Q. Haven't you been with him at dances?

A. I don't ever remember of being at a dance where he was at.

Q. Whoever told you his truth and veracity was good?

Mr. Clark: We object to that as incompetent, irrelevant and immaterial.

The Court: You may answer. Defendant excepts.

A. Whose truth and veracity were you referring to?

Q. Whose truth and veracity were you referring to?

A. Walter Anderson.

Q. That might be the fellow I was referring to?

Mr. Clark: You have been referring in your last questions to the defendant.

A. Well, when he was up for court martial the colonel in charge of the court martials always said that the only reason that he hated to do anything to these boys, Walter Anderson being one of them, was because they always got up and told the truth.

Q. And that was in Ida Grove, Iowa.

A. No, that wasn't in Ida Grove, Iowa, that was in Brownsville, Texas.

Q. Who in Ida Grove, Iowa, told you that his reputation was good for truth and veracity?

A. I don't know as anyone has told me it was good.

#### RE-DIRECT EXAMINATION.

Q. Have you ever at any time heard his truth and veracity challenged?

A. I never have.

William Kennedy, called as a witness on behalf of the defendant, testified as follows:

I have lived in the neighborhood of Ida Grove, Iowa thirty-four years and have lived two years in town, I farmed for several years south of

town. I know Walter Anderson, and know his reputation for truth and veracity, in and about Ida Grove, Iowa, and it is good.

## CROSS EXAMINATION.

Q. See, you just recently signed an information for the arrest of "Yokey" Anderson for stealing an automobile?

Mr. White: That is objected to as incompetent, irrelevant and immaterial, and not proper cross examination.

The Court: Sustained, no such matter on inquiry. State excepts.

Q. Who did you ever hear say that "Yokey" Anderson's reputation was good for truth and veracity?

A. I don't know as I can just tell you. I inquired just lately about Walter Anderson.

Q. Why did you inquire lately about him. Did you inquire about his being truthful, or did you inquire about other things about him?

A. I don't know as I did about his being so truthful, I believe it was other things I inquired about.

Q. How long have you known him?

A. Well, about three years.

Q. Do you know the defendant in this case?

A. I do not know him very well, I have known the family a long time. Do you know Mr. White?

A. Yes sir.

Q. You talked to him about what you was going to testify to?

A. Just a second, this evening.

## RE-DIRECT EXAMINATION.

Q. Mr. Kennedy, you had occasion to inquire as to this young man's truth and veracity lately, did you not?

A. Yes, I did.

Q. And what was the result of that inquiry?

A. He told me the truth.

Q. And in making these inquiries you were told that he was a truthful boy were you not?

A. He told me the truth.

Q. And in making these inquiries you were told also that he was truthful by different people you inquired of?

A. Yes sir.

Mr. Clark: If the court please, that statement they rather threw into the record, I didn't get the ruling of the court.

The Court: What was that?

Mr. Clark: Where they speak about signing the information against this boy.

Mr. Kindig: Your objection was sustained.

The Court: Sustained.

Mr. Clark: You can have that, if you desire. We will withdraw the objection and let you have it.

Mr. Kindig: I am not asking for it. The Court has ruled, I am not asking for anything the Court hasn't given me, sir.

Mr. Clark: Seeing you wanted it we withdraw our objection.

Mr. Kindig: You are very generous.

#### RE-CROSS EXAMINATION.

I inquired of different ones concerning his veracity, a dozen or two persons. I cannot give you the names, I talked to them in regard to his reputation and the way they talked to me I took it for granted that he was a good boy. I will not say they all told me he was truthful.

Mr. Clark: We rest.

Mr. Kindig: The State rests.

The Court: The State may address the Jury.

Mr. Macomber's address to the jury, in part as follows:

Gentlemen of the Jury: Gentlemen, I feel somewhat the inspiration suddenly hits me now as I imagine Theodore Roosevelt generally feels when he makes a speech. He always has a reporter take his speech down for him. Gentlemen, before proceeding into this argument I wish to tell you that I have no idea of what I am going to say to you, but I want to assure you right now, that I do not intend to appeal to your prejudice or to your passion, that all I ask you to do, each and every one of you, is to perform your duty as you have sworn to perform it, and be men in whose veins there flows none but red blood; that is all that I ask of you to do your duty, and if you do not believe that this defendant has been proven guilty beyond a reasonable doubt, then in God's holy name, I ask you right now to acquit him. But if he has been proven guilty by evidence that is sufficient to warrant you to believe that he has been proven guilty beyond a reasonable doubt, then it is your duty to comply with your oath.

You will remember when the indictment was read to you that the name of the Assistant County Attorney, Mr. Murphy, appeared upon that



indictment; you will remember that there was evidence in the case that Mr. Murphy and myself were also in attendance at the preliminary hearing on Monday the 24th day of November when court convened.

Mr. Clark: If the Court please we object to this remark before the jury as being improper and misconduct on the part of the counsel.

The Court: Go ahead. Defendant excepts.

Mr. Macomber: Gentlemen, I expect to be interrupted, I expect they are afraid of me. The Holy Bible says, "Even the guilty pursue when no man fleeth." It is their fear that has placed this gentleman here to take down, what I am to say, but they have tried to throw into this case—

Mr. Clark: If the Court please we object to these remarks as improper, and misconduct on the part of the attorney for the State.

The Court: Well, it is perfectly proper to have the argument taken down in shorthand by the reporter; that will not be regarded by the jury for any purpose in this case. You may proceed, Mr. Macomber. Defendant excepts.

Mr. Kindig's closing argument to the jury for the State, in part as follows:

Mr. Kindig: Gentlemen of the Jury, I will make you one promise, before I start, and that is I will not talk to you very long. As I listened to my friends I was indeed enraptured. I was interested and entertained. I haven't the eloquence that they possess. There are men, you know, who can lead you across the fields and show you the green trees and let you listen to the song of the birds, take you up through the valleys and watch the rivulets and flowing streams, but I haven't that eloquence. I remember some years ago when I was studying law in an office with an older practitioner I heard him go into a court room and make a very eloquent plea. He enraptured the jury, I am sure he did, for he did me, and when he was through he returned to his office, I congratulated him. I told him I was sure he would win the case, but he says: "My boy," I won't win the case. He says, "It may be I entertained the jury. I tried to captivate them with my eloquence, but I am sure when they get to their jury room to consider the proposition that they will return to the facts in the case and they will forget my eloquence." And the old gentleman was right, he lost the case.

Mr. Clark: Now we object to the remarks of counsel, as being improper and misconduct.

The Court: That is entirely proper. Go ahead. Defendant excepts.

Gentlemen of the Jury: As you have listened here to the story as told by those two little girls has there been any doubt in your mind from the first syllable that was spoken until the close of the testimony that this defendant was as guilty as guilty could be? They told that story separately. One told it when she was part way home, and another told

it after she got home. Was there ever any doubt in your mind I ask you from the time you listened first to those stories until now that this defendant is the guilty fellow sitting right over there. Gentlemen, it is true that you are officers of this court; you are citizens of this country, and there is placed now upon you a great responsibility. The question is whether you gentlemen of the jury, from the facts and circumstances that have been revealed here in this case, are you going to do justice here in Ida County. Did you ever hear such an appeal as was last made to you, an attempt to have you so violate your oaths that you would let him engender prejudice and bias and passion into your minds because, perchance, I happened to come from Des Moines. I used to live up here at Sioux City. Gentlemen of the Jury, I would rather represent the State of Iowa, in this case, and do in my humble way what I can to vindicate the wrong that has been done to this little German girl, than to represent that defendant and receive his gold in return. I ask you again if there can be any doubt in the minds of any man that these two girls told the truth as they knew God's truth. Why, in the name of Heavens should either of them say one word that wasn't absolutely God's truth? Why should they come into this court of justice before you, one only fifteen years of age, the other only seventeen when this occurred, now she is eighteen, that is the truth? Why should they come into this court of justice and face you gentlemen of the jury and tell you anything that wasn't God's truth. There isn't any showing that they have anything in the world against this defendant, before this night they had never known him. Why then should they come in here and tell anything that is not absolutely true? You saw her upon the witness stand and you saw the other little girl there. Was there anything revealed from what you saw, from her conduct or her words that would lead you to believe that they were not both telling the absolute truth? They haven't dared to attack their character, that he was going to be so kind and so good, and at the same time was tearing the very heart out of her trying to make you believe that she wasn't virtuous, trying to prejudice your minds against her. The only argument that needs to be made in this case, gentlemen of the jury, are you going to forget little Elsie Hargens as she was down there screaming and striving to save her virtue? Counsel says that wasn't much treatment? If taking the virtue, the hope and the future from a young girl like that isn't treating her severely and awfully then I don't know how you would mistreat womanhood.

Gentlemen of the Jury, as you know, we are now engaged in a great world war. It seems that the whole nation, all the nations of the world are centered in this terrible strife. There is conflict. There is suffering. There is bloodshed. There is sorrow. But as we consider it all, the most objectionable thing about it is that sometimes over there, as you know, men commit rape. Rape has caused men to go to war to avenge the right of womanhood, and now here in Ida County, in civilized Iowa, in America, I say you have before you now one of the most terrible, the meanest, vilest cases of rape that you have read about. The question is now whether you who live in this community are going to vindicate your own womanhood and tell the ruffians who would pull off that kind of stuff

that you aren't going to stand for it any longer. Counsel has suggested that you are going to put this man into the penitentiary for life. Now, Gentlemen of the Jury, that depends upon what you find the facts to be in this case. If after you have reviewed the evidence, you think the crime committed here would be assault to commit rape, rather than rape, then he shall not go to the penitentiary for life, and as you gentlemen know, as you have read and as you know in Iowa today we have a parole system and if this man was sent as I said before to the penitentiary or to the state reformatory.— — — — —

Mr. Clark: All the statement made from the last objection to this one is objected to as incompetent, irrelevant, misconduct and improper.

The Court: I will permit him to do it inasmuch as the attorneys for the defendant both of them went into the question of punishment. As a matter of fact and as a matter of law the punishment is a matter that the jury has nothing to do with. Ordinarily, it wouldn't be suggested in the Court's instructions, and it will not be at this time, and it is a matter that should not be touched upon by counsel in the case, but inasmuch as it has been commented on by attorneys for the defendant, I will permit this argument to be made along this line. Defendant excepts.

I say, as you gentlemen know, as you have read, and your experience has taught you, in this state, if you find that he is guilty of assault with intent to commit rape it will be in the discretion of this Court whether he shall go to the penitentiary at all or not, or whether he shall go to the state reformatory, and under our system, as you gentlemen know, as you have read, and as your experience has taught you, the length of time that he shall remain in either of those institutions will depend absolutely upon his own conduct.

If he shows the world he can be a man again, the officials, as you gentlemen know, will give him an opportunity to be a man again.

Gentlemen of the Jury, why do you think those attorneys argued so long if there wasn't anything to this case. Bless your souls they have talked to you nearly all day, and if the case on the part of the State is so weak and feeble why have they spent so much time to convince your minds with this thing and with that thing? The State has shown you gentlemen of the jury, the movements of this defendant from about seven o'clock that night until he committed the crime. You remember the going down into the country with O'Meara and those two women, and of their getting out of the car down there and these men coming back to town. You remember of his meeting those girls on the street, down near the mill I believe—

Mr. White: Just a moment Mr. Kindig. Now, if the Court please, we object to counsel making any reference to women getting out of the car, and their then coming to town for the reason that the evidence of any other act, or crime is improper, and it is improper now, and misconduct for counsel to refer to any women getting in or out of the car that evening.

The Court: The Court has permitted evidence along this line merely as—for the purpose of showing, for what the jury may deem it entitled to receive, the whereabouts of the defendant, and as bearing, for what the jury may deem it entitled to receive in evidence, on the identity of the defendant, but for no other purpose whatever, and the jury is cautioned, as it was at the time, now, that any reference in the evidence or in the questions or statement of counsel for the State tending in any way to impute any wrongful act on the part of the defendant, and Ray O'Meara in their relations with other girls or women has been stricken out, and you are cautioned to entirely disregard the same for any purpose in this case. Defendant excepts.

If it please the Court, the reason I was speaking about it was in connection with the time.

Mr. Kindig: You remember that transaction and what those girls said about it, and that when they saw the car it was going back to Ida Grove. You remember then the talk with the girls seeing the car down near the mill, and then they walking from there up to the depot, and saw the defendant there again, and then in addition to that, we have the evidence of Russell Easton, who says while he can't state for sure in answer to the question about what time of day it was, but I think it was about eight-thirty to nine o'clock, and then you have the evidence of Harry R. Jensen, who says, "why, it was about half past eight." And there is the testimony of Ohlsen, who says, "It is about a quarter to nine o'clock." Gentlemen of the Jury, can there be any doubt in your mind? If there is any doubt, for God's sake why do you have it, that those defendants were right here in this town of Ida Grove, Iowa, at a quarter to nine o'clock, that night. There isn't any doubt about it in the world. Why should Ohlsen say so if he didn't think it was true, why should the other boys say he was there at eight-thirty-five if it wasn't true? Why should the girls say they saw him at the depot if it wasn't true? They are absolutely disinterested; they have no interest in the case under the Heavens, no relationship, no interest of any kind or description? Why should they tell you, Gentlemen of the Jury, that those things are true if they are not true, and if this defendant, as Ohlsen says, was in this city at a quarter of nine o'clock on that night, he of course then couldn't have been home, which under God's truth he wasn't. I am not going to blame this old mother here. I will not blame her at all. I don't want you to blame her for what she may have said in this court room. I want you to pity her and have charity for her, but whatever that may be, Gentlemen of the Jury, the truth is that fellow was here at a quarter to nine o'clock and is there any doubt in your mind that immediately after he left Ohlsen at nine-fifteen o'clock, he switched around the block and picked up these girls—

Gentlemen of the Jury, it is true in cases of this kind that you are to convict the defendant beyond a reasonable doubt, and that is a good wholesome rule of which I have no quarrel at all, but there is another rule that is just as important to you and to me, to your wife and your daughter, as that rule, and that is, that if you believe he is guilty it is

your duty to convict him. It is that policy and that principle alone that makes society safe, and the difference between Iowa and places like Kentucky that you heard about on the examination of a jurymen is that in Iowa juries find men guilty and down there they don't, and because they don't the individual takes a shot-gun and goes out to get him.

Mr. White: If the Court please we object to the language, the inflammatory language used by counsel for the State as being improper and misconduct.

The Court: I just got the latter part of it, but I think it was language that shouldn't have been given.

Mr. Kindig: It may be stricken.

The Court: I think it should go out. The jury is cautioned to disregard it. Defendant excepts.

The only purpose, Gentlemen of the Jury, I have in saying this to you is that I want you to know the importance of finding this man guilty, if you believe he is guilty.

Mr. White: The same objections to what he now has said as we made to what he said a minute ago.

The Court: The same ruling and the same precaution. State excepts.

What would you think, Gentlemen of the Jury, if your daughter had been in Elsie's place? Is it any wonder, is it any wonder that crime is never punished. Talk about the State of Iowa, being all powerful, did you ever stop to think how hard it was to get a criminal in the penitentiary. There is every right, there is every precaution thrown around him, all the technicalities in God's world, and then in addition to that, in crimes of this kind, the humiliation and the shame of coming into the court room and telling about it, and have counsel for the defense make this insinuation and that insinuation about the morality and the virtue of the girl who dares come in.

Mr. White: If the Court please I object again to the remarks of counsel as highly improper and constituting misconduct.

The Court: Proceed. Defendant excepts.

Gentleman of the Jury, I don't doubt but what O'Meara may have gotten home almost at ten o'clock. In an automobile in these days you know you can go five or ten miles in a very short time indeed. And by the way if O'Meara wasn't out there in that car, if this defendant wasn't out there that night, and those boys didn't ravish this girl, where is O'Meara?

Mr. White: If the Court please I now object to the remarks of counsel as being highly improper and constituting misconduct in the argument.

The Court: Well he would be as available a witness to either side. Of course, O'Meara, under the law couldn't be compelled by either side to testify.

Mr. Kindig: (To the jury) I think it is a significant thing at least for you to think about.

Mr. White: I object to the remarks just made by counsel as being improper and constituting misconduct.

The Court: You may proceed. Defendant excepts.

Jury retired at 4:40 o'clock p. m., Friday, December 21st, 1917, and returned into court at 2:20 o'clock, Saturday, December 22, 1917, with verdict as follows:

"We, the jury in the above entitled cause, find the defendant, Ernest Rathbun, guilty of rape as charged in the indictment.

A. W. Coil.

MOTION FOR NEW TRIAL.

Motion for new trial filed and submitted upon the 31st day of December, 1917, and is as follows:

In the District Court of the State of Iowa, In and For Ida County,

November Term, A. D. 1917.

Motion to Set Aside Verdict and For New Trial.

State of Iowa,  
Plaintiff

vs.

Ernest Rathbun,  
Defendant

Comes now the defendant and moves the Court, that the verdict rendered in the above entitled action be set aside, and the defendant be granted a new trial, for the following reasons, to-wit:

First: That the defendant did not receive a fair and impartial trial, which was caused by the improper, prejudicial and inflammatory remarks of the attorneys for the state, in their opening and closing arguments to the jury, and the misconduct of said attorneys in the trial and presentation of the cause, and the improper and prejudicial conduct of the examination of witnesses at the trial, which as a natural consequence appealed to the passions and prejudice of the jury and prevented the defendant from obtaining a fair and impartial trial.

In that James W. Kindig, Assistant Attorney General, who assisted the Assistant County Attorneys, J. A. Murphy, Chas. S. Macomber and Johnston & Piersol, in the presentation and trial of the above cause in his opening statement to the jury indulged in the statement:

"I am now very briefly going to tell you the testimony or the evidence upon which the State expects to prove this indictment.

"The testimony on the part of the State will be, that this prosecuting witness, Elsie Hargens, at the time of the commission of this crime was

about seventeen years of age I believe, that she was living here in Ida Grove, formerly had been living out near here in the country, that she was living here with her people I believe, working at the time at a neighbor's home.

"The 4th day of November, 1917, was Sunday and the defendant upon that Sunday afternoon, the evidence of the State will show, together with one O'Meara in a Ford automobile, picked up about seven o'clock I believe in the evening, I will not be exact about the time now, two women in Ida Grove, and drove them out to a school house about five miles. These men started out with this automobile that they drove I think about five miles south of town and stopped there at the school house and because these women that they had with them would not submit to their desires, they were thrown out of the automobile."

In that said attorney at the time and subsequent to objections made by the attorney for the defense to said improper remarks stated to the Court in the presence of the jury:

"We expect to support our contention by ample authority that, for the purpose of identification, and showing the whereabouts of these men at this time, for the purpose of showing their common scheme and purpose, and intent, that the testimony I am talking about will be absolutely competent and material."

In that Chas. S. Macomber, one of the assistant attorneys for the state who made the opening argument indulged in the statement:

Gentlemen I expect to be interrupted, I expect they are afraid of me. The Holy Bible says: "Even the guilty pursue, when no man fleeth." It is their fear that has placed this gentleman here to take down what I am to say, and they have tried to throw into this case—"

In that the said assistant state's attorney, Jas. W. Kindig, indulged in the statement:

"It is true in cases of this kind that you are to convict the defendant beyond a reasonable doubt, and that is a good and wholesome rule which I have no quarrel at all, but there is another rule that is just as important to you and to me, to your wife and your daughter, as that rule, that if you do believe he is guilty it is your duty to convict him. It is that policy and that principle alone that makes society safe, and the difference between Iowa and places like Kentucky that you heard about in the examination of a jurymen, is that in Iowa, jurors find men guilty, and down there they don't and because they don't the individual takes a shot gun and goes out to get him."

In that subsequent to an objection being made by the defense and the attorney cautioned by the court he continued:

"The purpose, gentlemen of the jury I have in saying that, is that I want you to know the importance of finding this man guilty."

In that in said argument said attorney indulged in the statement:

"I don't doubt but what O'Meara may have gotten home almost at ten o'clock in an automobile; in these days you know you can go five or ten miles in a very short time indeed, and by the way if O'Meara wasn't out there that night and these boys didn't ravish this girl then where is O'Meara?"

In that subsequent to an objection made by the defense to the remarks, and subsequent to the ruling of the court, the said attorney continued with the statement:

"I think it is a significant thing at least for you to think about."

In that upon cross examination of the witness Walter Anderson, called by the defense, the said attorney, James W. Kindig, indulged in interrogating the witness by asking him the question:

"You didn't rape her did you Jokey?"

Also in asking the question:

"You are under arrest aren't you for stealing an automobile?"

In that upon the cross examination of the witness Lloyd Lynch, called by the defense, the said attorney indulged in interrogating the witness by asking him the question:

"See, they call you Tuffy Lynch don't they?"

That said inflammatory remarks and statements so made by the attorneys for the state were improper, misconduct, prejudicial and prevented defendant from obtaining a fair and impartial trial.

That the questions propounded to the witnesses called by the defense by the state's attorney, James W. Kindig, in cross examination, were improper, misconduct, prejudicial and for the manifest purpose and intention on the part of the said attorney to throw discredit on the testimony of the said two witnesses, Walter Anderson and Lloyd Lynch, and to prejudice them in the minds and eyes of the jury.

In that said Attorney James W. Kindig, was persistent in asking improper questions to witnesses, Mrs. Theobald and Mary Schuett called by the state, subsequent to said questions being objected to by the defense and sustained by the court, the question referred to being put to the witness, Mrs. Theobald.

"State whether or not the defendant when you were in the car made any improper suggestions to you."

The same question put to Mary Schuett in substance but in a more prejudicial form:

"When you were in the car that night was there anything indecent or immoral suggested to you or to Mrs. Theobald?"

That said persistent questions propounded so said witnesses was improper, misconduct, prejudicial and for the manifest purpose and in-



tention on the part of the attorney to prejudice the minds of the jury toward the defendant, and to prevent him from obtaining a fair and impartial trial.

Second: That the indictment upon which the defendant was tried was found upon false and perjured testimony on the part of the state introduced before the grand jury, and confessed by the prosecuting witness, Elsie Hargens, and the verdict of guilty rendered by the jury in this cause was influenced by false and perjured testimony introduced by the prosecuting witness, Elsie Hargens, and witnesses, Mrs. Theobald and Mary Schuett.

In that the prosecuting witness, Elsie Hargens, testified before the grand jury as follows:

"Lived in Ida Grove four years, lived four miles south of Battle Creek, have known Ida Knudsen several years, went to Ida Knudsen's home at seven-thirty, November 4, 1917, were there until eight-forty-five p. m., went to postoffice, saw automobile at postoffice, car stopped, asked us to take ride, it was Ernest Rathbun and Ray O'Meara."

That upon the trial she testified upon re-cross examination as follows:

"Q. Did you say before when you were on the stand, the first time that you knew who the boys were that you referred to as being in the car with you was the day they were arraigned, the morning you saw them in the court room and they were arraigned?"

A. Yes sir.

Q. That is the first time you knew who the boys were?

A. Yes sir.

Q. That was after you was before the grand jury wasn't it, and after the boys were indicted?

A. Yes sir.

RE-DIRECT EXAMINATION.

Q. From the night the boys were out to the place near the rendering works with you until you saw them here in the court room had you seen them?

A. No sir.

Q. Had you seen them in the mean time?

A. No sir.

In that she denies the testimony of Walter Anderson, a witness called by the defense, who took her home the same evening she claims to have been raped and subsequent to the time of the occurrence, which testimony of the said Walter Anderson was corroborated by three other witnesses called by the defense, Luke McCabe, Walter Miller and Louis Feuchter,

all of whom testified that they saw the said Walter Anderson take her home, and that they did not notice that she was mussed, that her hair was down or leaves in her hair, and that she appeared natural.

In that she testified upon cross examination that she did not attend public school at Ida Grove in the year 1916, the same year that Ray O'Meara was in attendance, when in fact she did so attend, the same being substantiated by the teachers witnesses called by the defense.

In that the witness, Mrs. Theobald, called by the state, testified that she and Mary Schuett was driven by Ray O'Meara and Ernest Rathbun in an automobile five miles into the country south of Ida Grove, and they got out of the automobile and entered a farm house, that they both looked at a clock, one testifies that it was eight o'clock and the other that it was half-past eight.

That said testimony was directed at material points in said cause, was false, and perjured, misconduct, improper, prejudicial and prevented defendant from obtaining a fair and impartial trial.

Third: That the court erred in not sustaining the objections made by the attorneys for the defense to the direct testimony of Mrs. Theobald.

Fourth: That the court erred in not sustaining the motion made by the attorneys for the defense at the close of the testimony of Mrs. Theobald to strike same.

Fifth: That the court erred in not sustaining the objections made by the attorneys for the defense to the testimony of Mary Schuett.

Sixth: That the court erred in not sustaining the motion to strike made by the attorneys for the defense at the close of the testimony of Mary Schuett.

Seventh: That the court erred in not sustaining the objections made by the attorneys for the defense to the cross examinations of Walter Miller.

Eighth: That the court erred in not sustaining the objections made by the attorneys for the defense to the direct examinations of J. M. Sauer.

Ninth: That the court erred in not sustaining the objections made by the defense to the re-direct examination of J. M. Sauer upon recall.

Tenth: That the court erred in not sustaining the objections made by the attorneys for the defense to the direct examinations of Dr. Lyon.

Eleventh: That the court erred in not sustaining the objections made by the attorneys for the defense to part of the direct examinations of Ida Knudsen relating to the conversation with persons at the Sauer garage had with J. M. Sauer and Dr. Lyon.

Twelfth: That the verdict is contrary to law.

Thirteenth: That the verdict is influenced by the passion and prejudice of the jury, and not sustained by the evidence.

Fourteenth: That the verdict was influenced by the passion and prejudice of the jury occasioned by the misconduct of the attorneys for the state in the presentation and trial of the cause.

GEO. H. CLARK,  
M. M. WHITE,  
Ed H. CAMPBELL,  
Attorneys for Defendant.

Overruled. Defendant excepts.

#### JUDGMENT.

Defendant sentenced to life imprisonment in the Reformatory at Anamosa, Iowa, this 31st day of December, 1917.

Defendant excepts.

#### NOTICE OF APPEAL.

And thereafter, to-wit: Within the time fixed by law the defendant, Ernest Rathbun, perfected an appeal from the aforesaid judgment and each and every part thereof to the Supreme Court of Iowa, by serving the attorneys of record, and by serving the clerk of the District Court with a notice of appeal from said judgment and proceeding in due and legal form, which notice of appeal, with the proofs of service thereof on the State of Iowa, Plaintiff, was duly and timely filed in the office of the Clerk of the District Court.

#### TRANSCRIPT OF EVIDENCE AND CERTIFICATE.

That, thereafter and within the time fixed by law, said defendant filed and made a part of the record in the office of the Clerk of said District Court, a full and complete transcript of all the evidence, and proceedings had, offered or introduced in said cause by the respective parties thereto upon the trial and submission thereof; and all objections and motions of the parties thereto, or any part thereof, with all rulings of the Court thereon, and all exceptions of the respective parties to such rulings, and said transcript after being certified by the shorthand reporter and judge presiding was by the Court ordered filed and made a part of the record in said cause, all of which was timely done.

That the foregoing is a complete and accurate abstract of the entire record in said cause, together with all pleadings, records, evidence, exhibits, stipulations, judgments, orders, motions, objections, rulings and exceptions, and everything that occurred during the entire progress and trial of said cause, as fully in all respects as the same now appears of record, in said proceedings in the Court below.

GEORGE H. CLARK,  
M. M. WHITE,  
CAMPBELL AND CAMPBELL,

Attorneys for Appellant.

To J. A. Murphy, A. C. Johnston, Chas. S. Macomber and James W. Kingd<sup>g</sup>, Attorneys for Appellee: You and each of you are hereby notified that said Appellant will ask to be heard orally at the time of the submission of this appeal to the Supreme Court of Iowa.

Dated this 19th day of June, 1918.

GEORGE H. CLARK,  
M. M. WHITE,  
CAMPBELL AND CAMPBELL,  
Attorneys for Appellant.

I hereby certify that the actual cost of printing this Abstract was \$118.00.

GEORGE H. CLARK,  
Attorneys for Appellant.

On motion of Senator Kingland, Senate adjourned until 9:30 a. m. Thursday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, February 13, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. H. L. Olmstead, pastor of the Church of Christ, Scranton.

## PETITIONS AND MEMORIALS.

Senator Anderson presented a petition of citizens of Carroll county against cigarette bill.

Referred to committee on public health.

Senator Fellows presented a petition of citizens of Fayette county favoring the appropriation of \$75,000 for law enforcement.

Referred to committee on appropriations.

Senator Stephenson presented a petition of citizens of Ringgold county against a bond issue for hard surfaced roads.

Referred to committee on highways.

## LEAVE OF ABSENCE.

On request of Senator Stephenson, leave of absence was granted Senator Brookhart for the day.

On request of Senator Byington, leave of absence was granted Senator Horchem for the day.

## INTRODUCTION OF BILLS.

By Senator Adams, Senate File No. 202, a bill for an act making appropriations for the construction of buildings at the State University of Iowa and the Iowa State College of Agriculture and Mechanic Arts.

Read first and second time and referred to committee on educational institutions.

By Senator Adams, Senate File No. 203, a bill for an act making appropriations for the State University of Iowa, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers College, the Iowa College for the Blind, and the Iowa School for the Deaf.

Read first and second time and referred to committee on educational institutions.

By Senator Newberry, Senate File No. 204, a bill for an act to amend the law as it appears in section eleven hundred and seventy seven-b (1177-b) supplement to the Code, 1913, relating to surety bonds.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Thompson, Senate File No. 205, a bill for an act defining and regulating the manufacture for sale, the endeavoring to sell, or the sale, of process or renovated butter, and to provide for the branding and labeling of the same.

Read first and second time and referred to committee on dairy and food.

By Senator Schaffter, by request, Senate File No. 206, a bill for an act to require the Committee on Senatorial and Representative Districts to prepare and report to the Senate a bill for redistricting the Congressional, Senatorial and Representative Districts of the State of Iowa, and report the same to the Senate with a map showing the proposed changes.

Read first and second time and referred to committee on senatorial and representative districts.

By Senator Schaffter, Senate File No. 207, a bill for an act to amend Section twelve hundred ninety-a (1290-a) of the Supplemental Supplement to the Code, 1915, fixing the compensation of appraisers for collateral inheritance tax.

Read first and second time and referred to committee on county and township affairs.

By Senator Haskell, Senate File No. 208, a bill for an act to provide free hospital service and medical and surgical treatment

for persons who are afflicted with a malady or deformity which can probably be remedied by such service and treatment, and who are unable to pay for the same; providing for the expense thereof; and prescribing the jurisdiction of the district and superior courts in said cases.

Read first and second time and referred to committee on educational institutions.

By Senator Hale, Senate File No. 209, a bill for an act to amend section four thousand eight hundred and ninety-seven-a (4897-a) of the supplement to the code, 1913, relating to the escape of persons committed to the penitentiary or reformatory, and providing the jurisdiction of an indictment for the crime of escaping from such prison.

Read first and second time and referred to committee on judiciary No. 1.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 52, a bill for an act to legalize the reincorporation of the Page County Building and Loan Association of Clarinda, Page county, Iowa, and to legalize the election of officers of said association, the acts of said officers, its board of directors, the issuing of stock, the making of loans, and the purchase of and taking securities of said association.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 52, a bill for an act to legalize the reincorporation of the Page County Building and Loan Association of Clarinda, Page county, Iowa, and to legalize the election of officers of said association, the acts of said officers, its board of

directors, the issuing of stock, the making of loans, and the purchase of and taking securities of said association.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*  
WILL L. KING,  
*Chairman House Committee.*

Adopted.

BILL SIGNED BY THE PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate File No. 52.

SENATE FILE NO. 186 RE-REFERRED.

On request of Senator Buser, Senate File No. 186 was withdrawn from committee on highways 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. 154, a bill for an act relative to motions for new trials.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 141, a bill for an act relating to partition fences.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relating to empowering cities to adopt double platoon system for members of fire departments.

W. C. RAMSAY, *Chief Clerk.*



Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked: .

House File No. 94, a bill for an act forbidding the crying of sales by certain non-residents.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relating to public aid to county or district fairs.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No 130, a bill for an act relating to tax levy for park purposes.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relating to appropriating money for the expenditure of the state board for vocational education.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 180, a bill for an act to legalize an action of the Consolidated Independent School District of Dow City, Iowa.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 154, a bill for an act to amend Section Thirty-seven Hundred Fifty-six (3756) of the Code, Relative to Motions for New Trial.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 141, a bill for an act to amend the law as it appears in sections twenty-three hundred sixty (2360), twenty-three hundred sixty-two (2362), twenty-three hundred sixty-three (2363), twenty-three hundred sixty-nine (2369) and twenty-three hundred seventy (2370) of the code relating to partition fences.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 134, a bill for an act granting to cities the power to adopt by ordinance a double platoon system for members of the Fire Department.

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

House File No. 94, a bill for an act to forbid the crying of sales of property by certain nonresidents, making the violation thereof unlawful, and providing a penalty therefor.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 41, a bill for an act to amend Chapter eighty-nine (89), Acts of the thirty-seventh (37th) General Assembly, relating to public aid to county or district fairs.

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

House File No. 130, a bill for an act to amend section eight hundred fifty-p (850-p) of the Supplemental Supplement to the Code, nineteen hundred fifteen, extending the time for making tax levy for park purposes for improvement of lakes by dredging or otherwise deepening the same, constructing dikes and levees and changing the form and size thereof, improving such lakes and park lands surrounding the same, and for other purposes.

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

House File No. 110, a bill for an act to amend Section Ten (10) of Chapter Two Hundred Ninety (290) of the acts of the Thir-

ty-seventh (37th) General Assembly, and appropriating money for the expenditures of the State Board for vocational education.

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

House File No. 180, a bill for an act to legalize the action of the Consolidated Independent School District of Dow City, Crawford County, Iowa, in voting bonds at an election held on the 30th day of April, 1917, and to legalize the bonds issued by said district under said election.

Read first and second time and referred to committee on judiciary No. 1.

#### HOUSE RECESS RESOLUTION.

*Resolved by the House, the Senate concurring.* That this general assembly adjourn Wednesday, February 26, 1919, to reconvene on Wednesday, March 5, 1919, at 10 o'clock a. m.

On motion of Senator Price, the Senate concurred in the resolution.

#### COMMUNICATION.

*Resolved.* That we, the Keystone League of Christian Endeavor of the Allendorf Society of the United Evangelical Church of Allendorf desire to express our appreciation of the action of the Iowa legislature in ratifying the prohibition amendment to the federal constitution.

We further desire to express the hope that such laws will be enacted by the legislature of the state of Iowa as will make effective the carrying out of the above amendment as soon as it becomes a part of the federal constitution.

(Signed by thirty members.)

#### REPORTS OF COMMITTEES.

Senator Whitmore, from the committee on elections, submitted the following report:

MR. PRESIDENT—Your committee on elections, to whom was referred Senate File No. 76, a bill for an act to amend the law as it appears in section eleven hundred one (1101), supplemental supplement to the code, relating to the withdrawal of candidates regularly nominated for office, 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.

By inserting after the word "code" in the second line of the title the following, "1915,;" also by changing the word "of" in line three of section one to the word "to" and by inserting after the comma in said line three the following: "1915,."

CHESTER WHITMORE, *Chairman*.

Ordered passed on file.

Senator Proudfoot, from the committee on judiciary No. 2, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 2, to whom was referred House File No. 121, a bill for an act to amend the law as it appears in section 4011 of the code, relating to the exemption of personal earnings, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 78, a bill for an act to repeal section 4689 of the code and enact a substitute therefor relative to the taking of depositions and to amend sections 4693 and 4694 of the code relative to the taking of depositions, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman*.

On motion of Senator Proudfoot, the report was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 2, a bill for an act creating a commission to revise and codify the statute laws of the state and defining its duties and providing for clerical help, and for the publication and distribution of its report, and making an appropriation for its expenses, beg leave to report they have had the same under consideration and recommend the substitution of the attached committee bill.

A. V. PROUDFOOT, *Chairman*.

By committee on judiciary No. 2, Senate File No. 210, a bill for an act creating a commission of three persons to edit and codify the laws of the state; defining its powers and duties; providing for the editing of a book of annotations of the code by the code editor; providing for clerical assistance and for the publication and distribution of the code and book of annotations and making an appropriation for the expenses of said commission and such work.

Read first and second time and ordered passed on file.

Senator Coburn, from the committee on agriculture, submitted the following report:

MR. PRESIDENT—Your committee on agriculture, to whom was referred House File No. 26, a bill for an act to amend section twenty-three hundred and fifty-five (2355) of the code of Iowa in relation to partition fences, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on judiciary No. 1.

GEO. L. COBURN, *Chairman.*

On motion of Senator Coburn, the report was adopted and the bill referred to judiciary No. 1.

On motion of Senator Thompson, rule 33 was suspended for the day.

#### THIRD READING OF BILLS.

On motion of Senator Wilson, House File No. 40, a bill for an act to amend Section Four Hundred Fifty-eight d (458 d), Supplement to Code, 1913, relating to the drawing of Warrants to pay claims for injuries to domestic animals, and providing when said warrants shall be drawn, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

On motion of Senator Wilson, the following committee amendment was adopted:

By changing the period at the end of section one to a comma and adding to said section one the following: and by striking from the sixth line of said section the words "each of said months" and inserting in lieu thereof the words "said month."

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 vote was:

Ayes, 39.

Adams	Greenell	Ratcliff
Arney	Hale	Reed
Balkema	Haskell	Rule
Ball	Holdoegel	Schaffter
Buser	Kimball	Scott
Byington	Kimberly	Smith
Cessna	Kingland	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Parker	Thompson
Evans	Pitt	Van Alatine
Fellows	Price	White
Foskett	Proudfoot	Whitmore
Fralley	Rainbow	Wilson

Nays, 2.

Meredith	Nelson
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Absent or not voting, 9.

Anderson	Foster	Newberry
Brookhart	Horchem	Shane
Broxam	LeCompte	Taylor

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 Hale, Senate File No. 31, a bill for an act to repeal section fifty-seven hundred eighteen-a4 (5718-a4) of the supplement to the code, 1913, and to enact a substitute therefor, relating to the reformatory, at Anamosa, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hale 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 vote was:

Ayes, 44.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Kimball	Schaffter
Broxam	Kimberly	Scott
Buser	Kingland	Smith
Byington	Meredith	Stephenson
Cessna	Mitchell	Stoddard
Coburn	Nelson	Thompson
Edwards	Newberry	Van Alatine
Evans	Parker	White
Fellows	Pitt	Whitmore
Foskett	Price	Wilson
Fralley	Proudfoot	

Nays, none.

Absent or not voting, 6.

Brookhart  
Foster

Horchem  
LeCompte

Shane  
Taylor

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 Hale, Senate File No. 59, a bill for an act to amend section two hundred fifty-four-a23 (254-a23) of the supplement to the Code, 1913, providing for commitment of certain persons to state institutions, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

On motion of Senator Hale, the following committee amendments were adopted:

Amend by inserting the figures "254-a23" and the word "be" in line two of the bill the following: "supplement to the code, 1913," and also by striking out of line eight of said bill the words: "his or her majority" and inserting therein the following: "the age of twenty-one years."

Senator Hale 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 vote was:

Ayes, 41.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Proxam  
Byington  
Coburn  
Edwards  
Evans  
Fellows  
Foskett  
Fralley  
Greenell

Hale  
Haskell  
Holdoegel  
Kimball  
Kimberly  
Kingland  
LeCompte  
Meredith  
Mitchell  
Nelson  
Parker  
Pitt  
Price  
Proudfoot

Rainbow  
Ratcliff  
Reed  
Rule  
Schaffter  
Scott  
Smith  
Stephenson  
Stoddard  
Taylor  
Thompson  
Van Alstine  
Whitmore

Nays, 2.

Buser

Wilson

Absent or not voting, 7.

Brookhart	Horchem	White
Cessna	Newberry	
Foster	Shane	

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 Ball, Senate File No. 42, a bill for an act to amend section sixteen hundred fifty-two-d (1652-d) Supplement Code, 1913, relating to extinct churches, was taken up for further consideration.

Senator Ball 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 vote was:

Ayes, 37.

Anderson	Greenell	Price
Arney	Hale	Proudfoot
Balkema	Haskell	Rainbow
Ball	Kimball	Reed
Broxam	Kimberly	Rule
Buser	Kingland	Schaffter
Byington	LeCompte	Smith
Cesena	Meredith	Stephenson
Coburn	Mitchell	Stodderd
Edwards	Nelson	Van Alstine
Evans	Parker	White
Fellows	Pltt	Whitmore
Foskett		

Nays, none.

Absent or not voting, 13.

Adams	Horchem	Shane
Brookhart	Newberry	Taylor
Foster	Ratcliff	Thompson
Fralley	Scott	Wilson
Holdoegel		

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. 122, a bill for an act to amend the law as it appears in section two hundred fifty-four-a20 of the supplement to the code, 1913, relating to financial



aid for widowed mothers, was taken up for further consideration, the report of the committee having been adopted.

By unanimous consent the words "of the" in line 2 of the title and in line 2 of Section 1 were stricken out, and the figures "(254-a20)" were inserted in line of the title.

Senator Taylor 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 vote was:

Ayes, 40.

Adams	Hale	Froudfoot
Anderson	Haskell	Rainbow
Arney	Holdoegel	Reed
Balkema	Kimball	Rule
Ball	Kimberly	Schaffter
Broxam	Kingland	Smith
Buser	LeCompte	Stephenson
Byington	Meredith	Stoddard
Cessna	Mitchell	Taylor
Coburn	Nelson	Van Alstine
Edwarde	Newberry	White
Evans	Parker	Whitmore
Fellows	Price	Wilson
Foskett		

Nays, none.

Absent or not voting, 10.

Brookhart	Horchem.	Scott
Foster	Pitt	Shane
Fralley	Ratcliff	Thompson
Greenell		

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 Rainbow, House File No. 54, a bill for an act to amend sections six hundred ninety-four-c3 (694-c3), six hundred ninety-four-c5 (694-c5), and six hundred ninety-four-c16 (694-c16), supplemental supplement to the code, 1915, providing the method of submitting the proposition for the establishment of the municipal court, conducting the election, certifying results, appointment and election of judge or judges, clerk and bailiff, and providing the method for filling vacancies in said offices, and defining what shall constitute a vacancy, with report of

committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

On motion of Senator Wilson, the following committee amendments were adopted:

Amend by striking out section 3 of the bill and substituting therefor the following:

"Sec. 3. That section six hundred ninety-four-c sixteen (694-c 16), supplemental supplement to the code, 1915, be and the same is hereby amended by inserting after the period in the seventh line thereof the following:

"Whenever the proposition establishing a municipal court has been or may hereafter be adopted and no officers of such court have been appointed as herein provided, or have been elected at any regular city election, a vacancy in such offices shall be deemed to exist and may be filled as provided in this section."

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 39.

Adams	Foskett	Price
Anderson	Greenell	Rainbow
Arney	Hale	Reed
Balkema	Haskell	Rule
Ball	Holdoegel	Schaffter
Broxam	Kimball	Smith
Buser	Kimberly	Stephenson
Byington	Kingland	Stoddard
Cessna	LeCompte	Taylor
Coburn	Meredith	White
Edwards	Nelson	Whitmore
Evans	Newberry	Wilson
Fellows	Parker	

Nays, none.

Absent or not voting, 11.

Brookhart	Pitt	Shane
Foster	Proudfoot	Thompson
Fralley	Ratcliff	Van Alstine
Horchem	Scott	

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 Hale, Senate File No. 29, a bill for an act making appropriations for the erection, repair and improvement

of buildings, for appurtenances and connections thereto, for furniture, fixtures furnishings and equipment, for the purchase of land, for the purchase of live stock, farm machinery and equipment, for establishing and maintaining industries, for the purchase of clothing, food, fuel and supplies, and for improvements, equipment and appliances needed in any or all of the institutions hereinafter named, to-wit: Iowa Soldiers' Home, Iowa Soldiers' Orphans' Home, Institution for Feeble Minded Children, State Sanatorium for the treatment of tuberculosis, State Industrial Schools, State Hospitals for the Insane, State Penitentiary, the Reformatory, State Hospital and Colony for Epileptics and the Women's Reformatory, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Price moved that the bill be made a special order for 10:00 a. m., Monday, February 17th. Motion lost.

By unanimous consent the publication clause was stricken out.

The bill was read for information.

Senator Hale 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 vote was:

Ayes, 40.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Ball	Holdoegel	Rule
Broxam	Kimball	Schaffter
Buser	Kimberly	Smith
Byington	Kingland	Stephenson
Cessna	LeCompte	Stoddard
Coburn	Meredith	Taylor
Edwards	Mitchell	Van Alstine
Evans	Nelson	White
Fellows	Newberry	Whitmore
Foskett	Parker	Wilson
Fralley		

Nays, none.

Absent or not voting, 10.

Balkema	Pitt	Shane
Brookhart	Price	Thompson
Foster	Proudfoot	
Horchem	Scott	

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 Byington, Senate File No. 79, a bill for an act to appropriate twenty-five thousand dollars (\$25,000) as an additional amount to complete the Medical and Laboratory Building of the State Sanitorium for the treatment of tuberculosis at Oakdale and for equipment thereof, and also to appropriate the sum of three thousand dollars (\$3,000) for the purchase of an X-ray machine for said institution, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Byington 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 vote was:

Ayes, 45.

Adams	Fralley	Price
Anderson	Greenell	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Reed
Ball	Holdoegel	Rule
Broxam	Kimball	Schaffter
Buser	Kimberly	Shane
Byington	Kingland	Smith
Cessna	LeCompte	Stephenson
Coburn	Meredith	Stoddard
Edwards	Mitchell	Taylor
Evans	Nelson	Van Alstine
Fellows	Newberry	White
Foskett	Parker	Whitmore
Foster	Pitt	Wilson

Nays, none.

Absent or not voting, 5.

Brookhart	Proudfoot	Thompson
Horchem	Scott	

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

On motion of Greenell, Senate File No. 96, a bill for an act to amend section one (1) of Chapter two hundred twenty six (226) to the Acts of the Thirty-Seventh General Assembly relating to

Municipal Courts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Greenell offered the following amendment and moved its adoption:

Amend by adding the following as section 2.

"Sec. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Capital and Des Moines Register, newspapers published in Des Moines, Iowa."

The amendment was adopted.

Senator Greenell 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 vote was:

Ayes, 46.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Kimball	Schaffter
Broxam	Kimberly	Shane
Buser	Kingland	Smith
Byington	LeCompte	Stephenson
Cessna	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Nelson	Van Alstine
Evans	Newberry	White
Fellows	Parker	Whitmore
Foakett	Pitt	Wilson
Foster	Price	
Fralley	Proudfoot	

Nays, none.

Absent or not voting, 4.

Brookhart	Scott
Horchem	Thompson

So the bill having received a constitutional majority was declared to have passed the Senate.

On motion of Senator Wilson, the word "to" was changed to "of" in the title, and the title as amended was agreed to.

On motion of Senator Foskett, Senate File No. 123, a bill for an act making an appropriation for the purchase of fuel; for the payment of telephone, telegraph, water, light and repairs and for the payment by the executive council of expenses for which no appropriation is made, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Foskett 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 vote was:

Ayes, 44.

Adams	Greenell	Ratcliff
Anderson	Hale	Reed
Arney	Holdoegel	Rule
Balkema	Kimball	Schaffter
Ball	Kimberly	Shane
Broxam	Kingland	Smith
Buser	LeCompte	Stephenson
Byington	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Nelson	Thompson
Evans	Parker	Van Alstine
Fellows	Pitt	White
Foskett	Price	Whitmore
Foster	Proudfoot	Wilson
Fralley	Rainbow	

Nays, none.

Absent or not voting, 6.

Brookhart	Haskell	Newberry
Cessna	Horchem	Scott

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 Ratcliff, Senate File No. 136, a bill for an act to amend Section five thousand two hundred fifty six (5256) Code of Iowa, relating to compensation of Clerk of grand jury, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking from the title the words "of Iowa" following the word "code" in line 2 thereof and inserting the words "of the" before the

word "code," and by striking out of line 2 of section 1 the words "of Iowa" and inserting after the figures "5256" in line 2 of section 1 the words "of the."

Senator Ratcliff 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 vote was:

Ayes, 41.

Adams	Foster	Ratcliff
Anderson	Frailey	Reed
Arney	Greenell	Rule
Balkema	Hale	Schaffter
Ball	Holdoegel	Shane
Broxam	Kimball	Smith
Buser	Kimberly	Stephenson
Byington	LeCompte	Stoddard
Cesana	Meredith	Taylor
Coburn	Mitchell	Van Alstine
Edwards	Newberry	White
Evans	Parker	Whitmore
Fellows	Pitt	Wilson
Foskett	Proudfoot	

Nays, 1.

Kingland

Absent or not voting, 8.

Brookhart	Nelson	Scott
Haskell	Price	Thompson
Horchem	Rainbow	

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 Stephenson, Senate File No. 137, a bill for an act to appropriate money to pay the salaries of certain persons who acted as judges and clerks of election in the year 1918 at the various military camps throughout the United States in taking the vote of persons in the military service, and to meet extraordinary expenses of the various commissioners who were appointed to take such vote, including a per diem for certain commissioners who made a survey at certain camps preliminary to the election, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

On motion of Senator Rule, the bill was re-referred to the committee on appropriations.

On motion of Senator Stephenson, Senate File No. 138, a bill for an act making an appropriation to meet deficiency in fund appropriated under chapter two hundred sixty-five (265), Acts of the Thirty-Seventh General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stephenson 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 vote was:

Ayes, 38.

Adams	Hale	Rule
Anwerson	Haskell	Shane
Balkema	Kimball	Smith
Ball	Kingland	Stephenson
Byington	LeCompte	Stoddard
Coburn	Meredith	Taylor
Edwards	Mitchell	Thompson
Evans	Nelson	Van Alstine
Fellows	Newberry	White
Foskett	Parker	Whitmore
Foster	Proudfoot	Wilson
Fralley	Rainbow	
Greenell	Ratcliff	

Nays, 3.

Arney	Buser	Price
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Absent or not voting, 9.

Brookhart	Holdoegel	Reed
Broxam	Horchem	Schaffter
Cessna	Pitt	Scott

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Foskett offered the following amendment to the title:

Amend the title by adding thereto the following: "relating to the census of resources of the state in men and materials."

The amendment was adopted and the title as amended was agreed to.

#### EXTRA COPIES OF JOURNAL FOR FEBRUARY 12TH.

On motion of Senator LeCompte 500 extra copies of the journal for February 12th were ordered printed.



## CORRECTION OF JOURNAL.

The journal of February 12th was corrected and approved.

## MOTION TO RECONSIDER.

I move to reconsider the vote by which Senate File No. 136 passed the Senate.

W. C. RATCLIFF.

Senator Price moved that the Senate adjourn until 10:00 a. m., Friday.

Senator Whitmore moved to amend by making the hour 9:30.

The amendment was adopted and the Senate adjourned until 9:30 a. m., Friday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 14, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. John A. Kettle, pastor of the Methodist Episcopal Church of Garner.

## PETITIONS AND MEMORIALS.

Senator Fellows presented a petition of citizens of Fayette county relative to highways.

Referred to committee on highways.

Senator Haskell presented a remonstrance of citizens of Linn county against repeal of present cigarette bill.

Referred to committee on public health.

Senator Holdoegel presented a remonstrance of Central Church of Christ against repeal of the present cigarette law.

Referred to committee on public health.

Senator Anderson presented a remonstrance of citizens of Carroll county against bonds for paved roads.

Referred to committee on highways.

Senator Anderson presented a remonstrance of W. C. T. U., Jefferson, against repeal of cigarette bill.

Referred to committee on public health.

Senator Foskett presented a petition of citizens of Page county in favor of four-year term for county officers.

Referred to committee on county and township affairs.

Senator Foskett presented a petition of citizens of Fremont county favoring four-year term for county officers.

Referred to committee on county and township affairs.

Senator Edwards presented a remonstrance of citizens of Boone county against a bond issue for paved roads.

Referred to committee on highways.

Senator Stephenson presented a petition of citizens of Ringgold county favoring increase for state agents.

Referred to committee on appropriations.

Senator Rainbow presented a remonstrance of citizens of Grundy county against a bond issue for paved roads.

Referred to committee on highways.

Senator Holdoegel presented a remonstrance of citizens of Webster county against a bond issue for paved roads.

Referred to committee on highways.

Senator Le Compte presented a remonstrance of citizens of Lucas county against repeal of the present cigarette law.

Referred to committee on public health.

Senator Le Compte presented a remonstrance of citizens of Lucas county against the creation of a public utilities commission.

Referred to committee on public utilities.

Senator Le Compte presented a remonstrance of citizens of Lucas county against a bond issue for paved roads.

Referred to committee on highways.

#### INTRODUCTION OF BILLS.

By Senator Reed, by request, Senate File No. 211, a bill for an act to repeal the law as it appears in section three hundred and eight (308) supplement to the code, 1913, relating to compensation of county attorneys and to enact a substitute therefor.

Read first and second time and referred to committee on county and township affairs.

By Senator Holdoegel, Senate File No. 212, a bill for an act to amend Section two-thousand five-hundred thirty-eight-w three (2538-w 3) and Section two-thousand five-hundred thirty-eight-w seven (2538-w 7) of the Supplement to the Code, 1913, in regard to the manufacture and distribution of hog cholera serum.

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

By Senator Cessna, Senate File No. 213, a bill for an act to confirm the title of Frank Schultz to the southeast quarter of the northwest quarter of section number thirty-four (34), in township number eighty-one (81), north range number fifteen (15), west fifth (5th), P. M., in Poweshiek County, Iowa, and authorizing the issuance of a patent to him therefor.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Haskell, Senate File No. 214, a bill for an act to repeal section seven hundred thirty-seven-a (737-a), supplement to the code, 1913, and to enact a substitute therefor empowering the state board of health to draft a code regulating the business of plumbing, requiring all cities and incorporated towns, having sanitary sewerage systems or other systems of domestic sewage disposal, including cities acting under the commission form of government and special charter cities, to regulate the business of plumbing; to make rules and regulations for the installation of same; to create a board of examiners of plumbers in cities and incorporated towns having a sanitary sewerage system or other system of domestic sewage disposal; to issue certificates, or licenses, to persons, firms or corporations desiring to engage in the business of plumbing who are properly qualified; to provide for the removal of plumbing installed in violation of the manner prescribed, and providing for punishment for a violation of the terms of this act.

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

By Senator Greenell, Senate File No. 215, a bill for an act to amend Title Five (V), Chapter Nine (9) of the Code of Iowa, re-

lating to Park Commissioners and Board of Public Works and to provide additional funds for parks and to make provisions for borrowing money and issuing bonds therefor; for acquisition of real estate and permanent improvement thereof.

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

By Senator LeCompte, Senate File No. 216, a bill for an act to amend title nine (9), chapter twelve (12) of the code, relating to banks.

Read first and second time and referred to committee on banks and banking.

#### BILL SIGNED BY THE PRESIDENT.

The president announced that as president of the senate, in the presence of the senate, he had signed Senate File No. 109.

On motion of Senator Haskell, rule 33 was suspended for the day.

#### HOUSE MESSAGE CONSIDERED.

Senate File No. 17, a bill for an act to amend section two hundred fifty-four-a20 (254-a20) supplement to the code, 1913, relating to commitments in juvenile courts.

Senator Horchem moved that the senate concur in house amendment found on page 397 of the Senate Journal.

On the question, "Shall the senate concur in the amendment?" the vote was:

Ayes, 37.

Adams	Foskett	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Broxam	Kimball	Scott
Buser	Kimberly	Stephenson
Byington	Kingland	Stoddard
Cessna	LeCompte	Taylor
Colburn	Meredith	Van Alstine
Edwards	Newberry	White
Evans	Parker	Whitmore
Fellows		

Nays, none.

Absent or not voting, 13.

Brookhart	Nelson	Smith
Poster	Pitt	Thompson
Frailey	Pries	Wilson
Greenell	Proudfoot	
Mitchell	Shane	

So the house amendment was declared to have been concurred in.

#### MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House File No. 118, a bill for an act relating to obstructious levees, ditches and drains.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 122, a bill for an act increasing the appropriation from \$25,000.00 to \$75,000.00 for state agents.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 118, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-a twenty-one (1989-a21) of the supplement to the code, 1913, relating to obstructions to levees, ditches and drains.

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

House File No. 122, a bill for an act to amend chapter two hundred thirty-one (231), acts of the thirty-seventh (37) General Assembly, by increasing the appropriation from twenty-five thousand dollars (\$25,000.00) to seventy-five thousand dollars (\$75,000.00).

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

## BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 13th day of February, 1919, sent to the governor for his approval, Senate File No. 52, a bill for an act to legalize the reincorporation of the Page County Building and Loan Association of Clarinda, Page County, Iowa, and to legalize the election of officers of said Association, the acts of said officers, its Board of Directors, the issuing of stock, the making of loans, and the purchase of and taking securities of said Association.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

## REPORTS OF COMMITTEES.

Senator Parker, 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. 20, a bill for an act relating to the levy of a tax in cities and towns for creating a Municipal Band funds and providing for an election authorizing the same, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman.*

On motion of Senator Parker, the report of the committee was adopted and the bill indefinitely postponed.

Senator Holdoegel, from the committee on departmental affairs, submitted the following report:

MR. PRESIDENT—Your committee on departmental affairs, to whom was referred Senate File No. 16, a bill for an act limiting the Period in which increase of compensation of Public Officers, etc., shall be effective, 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.

Substitute a comma for the final period in Section One, and add thereto the following:

"After which time the compensation for such service shall be the same as provided by law prior to the convening of the Thirty Eighth General Assembly.

PERRY C. HOLDOEGEL, *Chairman.*

Ordered passed on file.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred Senate File No. 18, a bill for an act amending section two thousand seven hundred seventy-three (2773) Supplement to the Code of Iowa, 1913, relative to length of time of holding school, 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.

By striking out the words "thirty-six" at the end of said bill, and substituting in lieu thereof the words "thirty-two."

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Also:

Your committee on Public Schools to whom was referred Senate File No. 168, a bill for an act providing for the establishment of dental clinics for school children and the offering of certain courses of instruction in certain schools and the employment of dentists and dental hygienists by public school corporations, 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.

By striking out the word "teacher's" in the last line of said bill and substituting in lieu thereof the word "general".

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Also:

Your committee on Public Schools to whom was referred Senate File No. 77, a bill for an act to amend Section two thousand seven hundred thirty-four-b (2734-b) Supplemental supplement to the Code, relating to the expenses of the County Superintendent of Schools for visiting schools, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on County and Township Affairs.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file. The report was adopted and the bill referred to committee on county and township affairs.

Senator Edwards, from the committee on county and township affairs, submitted the following report:

MR. PRESIDENT—Your committee on county and township affairs, to whom was referred Senate File No. 48, a bill for an act to amend section



four hundred ninety-five (495), of the supplemental supplement to the code, 1915, relating to fees to be reported and paid to the county by the county recorder, 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:

Amend the last two lines of said bill to read as follows: By inserting after the word "and" and the word "shall" and by inserting after the word "pay" and the word "quarterly", so that the sentence shall read, "and shall pay quarterly into the County Treasury, etc."

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Also:

Your committee on County and Township Affairs to whom was referred House File No. 18, a bill for an act to amend section four hundred ninety-five (495) of the supplemental supplement to the code, 1915, etc. beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Also:

Your committee on County and Township Affairs to whom was referred House File No. 38, a bill for an act to repeal the law as it appears in Section Four Hundred and Twelve (412) of the Supplement to the Code, 1913, relative to the meetings of the Board of Supervisors and to enact a substitute therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Also:

Your committee on County and Township Affairs to whom was referred Senate File No. 161, a bill for an act to amend section forty-six hundred-a (4600-a) of the Supplement to the Code, 1913, relative to fees of Justices of the Peace and Constables, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Senator Proudfoot, from the committee on judiciary No. 2, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 2, to whom was referred Senate File No. 40, a bill for an act to legalize a special election held in the city of Maquoketa, Jackson County, Iowa, on the 29th day of December, 1916, wherein there was submitted to the voters of said city a proposition to establish, erect, construct and furnish a municipal electric light and power plant within said city, and to legalize an election in said city held on the 24th day of September, 1918, wherein there was submitted to the voters thereof a proposition to issue bonds of said city in the sum of \$65,000.00 to be used for the establishment, creating, construction and furnishing of said municipal electric light and power plant within said city, beg leave to report they have had the same under consideration and recommend the same be substituted by the attached committee bill.

A. V. PROUDFOOT, *Chairman.*

By committee on judiciary No. 2, Senate File No. 217, a bill for an act to legalize a special election held in the city of Maquoketa, Jackson County, Iowa, on the 29th day of December, 1916, wherein there was submitted to the voters of said city a proposition to establish, erect, construct and furnish a municipal electric light and power plant within said city, and to legalize an election in said city held on the 24th day of September, 1918, wherein there was submitted to the voters thereof a proposition to issue bonds of said city in the sum of \$65,000.00 to be used for the establishment, creating, constructing and furnishing of said municipal electric light and power plant within said city.

Read first and second time and ordered passed on file.

Senator Proudfoot moved that the substitute be printed as a bill. Carried.

Senator Whitmore moved a reconsideration of the vote by which substitute bills were ordered printed in the journal. Carried.

Senator Whitmore moved that all substitute bills be printed in bill form.

The motion prevailed.

#### LEAVE OF ABSENCE.

On request of Senator Evans leave of absence was granted Senator Wilson for the forenoon.

On request of Senator Hale leave of absence was granted Senator Haskell until Monday.

On request of Senator Stephenson leave of absence was granted Senator Brookhart for the day.

On request of Senator White leave of absence was granted Senator Foster for the day.

Senator Ratcliff requested information in regard to the status of the road bill now being prepared by the highway committees of the senate and house.

Senator Balkema, chairman of the committee on highways, announced that the work on the bill was being done as speedily as possible.

Other members speaking were discussing road legislation.

Senator Proudfoot raised the point of order that no road bill was under discussion, but only an inquiry as to time when such bill might be expected.

The point of order was sustained.

Senator Ball arose to a question of personal privilege to ask why bills referred to committee on highways had not been returned to the senate within the time specified in the rules.

Senator Proudfoot raised the point of order that no matter was up for discussion.

Sustained.

Senator Balkema arose to a question of personal privilege to make a statement as to action of the highways committee on bills in their hands.

Senator Whitmore moved that if practicable the committee on highways be instructed to have 500 copies of the proposed highways bill printed before the adjournment for recess.

The motion prevailed.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

**MR. PRESIDENT**—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 109, a bill for an act to amend sections thirty-seven hundred nine (3709) and thirty-

seven hundred fifty-six (3756) of the code, relating to the time within which exceptions to the charge or instructions may be given and the time within which a motion for a new trial may be made.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 109, a bill for an act to amend sections thirty-seven hundred nine (3709) and thirty-seven hundred fifty-six (3756) of the code, relating to the time within which exceptions to the charge or instructions may be given and the time within which a motion for a new trial may be made.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### REPORT OF COMMITTEE ON COMMITTEE CLERKS.

MR. PRESIDENT—Your committee, to which was referred the matter of examination of clerks, beg leave to report that it has examined and found proficient Margaret Malone, who has been assigned to Senator Van Alstine, to take the place of Lieutenant Rex S. McDonald, resigned.

We recommend that she be employed and move the adoption of this report.

EUGENE SCHAFFTER, *Chairman.*

The report was adopted.

Margaret Malone appeared before the bar of the Senate and was duly sworn.

#### INTRODUCTION OF BILLS.

By Senator Kimball, Senate File No. 218, a bill for an act to repeal sections twenty-seven hundred eighteen-c (2718-c), twenty-seven hundred eighteen-d (2718-d), twenty-seven hundred eighteen-e (2718-e), and twenty-seven hundred eighteen-f (2718-f), supplement to the code, 1913, and to enact substitutes therefor and relating to the required attendance of deaf children and blind children at the respective state schools, and for excuse therefrom, and providing a penalty for failing to comply with

the provisions of this act, and appropriating funds for carrying out provisions of this act, including the compensation of agent to enforce provisions of this act.

Read first and second time and referred to committee on educational institutions.

By Senator Kimball, Senate File No. 219, a bill for an act providing that any corporation organized under the laws of the state may assign by three-fourths vote of its capital stock its property, rights, privileges and franchises when not contrary to its articles of incorporation, excepting corporations owning and operating railroads.

Read first and second time and referred to committee on judiciary No. 2.

Senator Ball, from the committee on public health, submitted the following report:

MR. PRESIDENT—Your committee on public health, to whom was referred Senate File No. 75, a bill for an act repealing the law as it appears in sections 5006 and 5007 of the Code and section 5007-c supplement to the code of 1913, and to enact substitutes therefor; prohibiting the furnishing of cigarettes or cigarette papers to minors; providing a means of obtaining evidence of a violation thereof, and prohibiting the use of cigarettes (or tobacco in any form) by minors, and providing a penalty therefor. Providing for the regulation and licensing of persons engaged in the selling of cigarettes and cigarette papers, and providing a penalty for selling cigarettes or cigarette papers without such license, and fixing a penalty therefor, and providing that any building, erection, or place made use of for the sale of cigarettes or cigarette papers in violation of the provisions of this act shall be deemed a nuisance and be abated by injunction, beg leave to report they have had the same under consideration and recommend the substitution of the attached committee bill.

GEO. W. BALL, *Chairman.*

By Committee on Public Health; Senate File No. 220. Substitute for S. F. 75, a bill for an act repealing the law as it appears in section 5006 and 5007 of the Code and section 5007-c supplement to the code of 1913, and to enact substitutes therefor; prohibiting the furnishing of cigarettes or cigarette papers to minors; providing a means of obtaining evidence of a violation thereof, and providing a penalty therefor, and prohibiting the use of cigarettes or tobacco in any form by minors, and providing a penalty therefor. Providing for the regulation and licensing of persons engaged in the selling of cigarettes and cigarette papers, and providing a penalty for selling cigarettes or cigarette papers without license, and fixing a penalty therefor, and providing that any building, erection, or place made use of for sale of cigarettes or cigarette papers in violation

of the provisions of this act shall be deemed a nuisance and be abated by injunction.

Read first and second time and ordered passed on file.

### THIRD READING OF BILLS.

On motion of Senator Kimball Senate File No. 21, a bill for an act to amend section 1099 of the code of 1897, and sections 1106, 1119, 1120, 1150, 1151, 1157, 1087-c and 1173 of the supplement to the code, 1913, and relating to election of presidential electors and United States senators and of vote therefor and removal of presidential electors from official ballot, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent the figure "65" was changed to "64" in paragraph 3 of the committee amendments.

The committee amendments found on page 247 of the journal were adopted.

Senator Byington offered the following amendment and moved its adoption:

I move to amend the bill as follows: By striking from line 63 of section two, the circles respectively placed before the words "Republican", "Democratic", "Prohibition" and "Union Labor".

By striking out section seven of the bill.

By striking out section eight of the bill.

On the question, "Shall the amendment be adopted?" the vote was:

#### Ayes, 11.

Arney  
Broxam  
Byington  
Fralley

Horchem  
Kingland  
Newberry  
Schaffter

Stephenson  
Taylor  
White

#### Nays, 32.

Adams  
Anderson  
Balkema  
Ball  
Euser  
Coburn

Edwards  
Evans  
Fellows  
Poskett  
Greene  
Hale

Holdoegel  
Kimball  
Kimberly  
LeCompte  
Meredith  
Mitchell

Nelson	Reed	Stoddard
Price	Rule	Thompson
Proudfoot	Scott	Van Alstine
Rainbow	Shane	Whitmore
Ratcliff	Smith	

Absent or not voting, 7.

Brookhart	Haskell	Pitt
Cessna	Parker	Wilson
Foster		

The amendment was lost.

Senator Rule moved that the bill be referred to a committee of five consisting of Senators Kimball, Price, Frailey, Haskell and Kingland, with instructions to report back Saturday morning at 10:30.

Senator Whitmore moved to amend the motion by making the time of reporting 1:30 this afternoon.

Senator Evans moved that the senate adjourn until 1:30 p. m. today.

Senator Rule moved to amend by making the time 2 p. m. Motion lost.

The motion of Senator Evans prevailed and senate adjourned until 1:30.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Ernest R. Moore presiding.

Senate resumed consideration of Senate File No. 21.

Senator Price offered the following amendment and moved its adoption:

I move to amend section 8 by striking out lines 3 to 15 inclusive, and substituting in lieu thereof the following:

When a circle is marked, the ballot shall be counted for all candidates upon the ticket beneath said circle, except those offices for which some candidate has been voted for by marking a square.

A cross placed in a square shall be counted for the candidate before whose name the square is so marked.

When a square in front of any candidate has been marked, a mark in the circle shall not count for any candidate for that particular office.

When more candidates than the number to be elected to the same office are voted for by marking the squares opposite their names, the vote shall not be counted for any candidate for that office.

If less than the whole number of candidates to be elected are voted for by marking the squares opposite their names, the vote shall be counted only for those marked in the square, and the mark in the circle shall not apply.

Also by inserting in line 8 of section 7, after the words "circle or not," the following:

If the voter does not wish to vote for all the candidates of his party to an office where more than one candidate is to be elected, the cross in the circle at the top of his ticket shall not apply to said office, but the voter must mark crosses in the squares opposite the names of the candidates for whom he intends to vote.

The amendment was adopted.

Senator Kingland offered the following amendment and moved its adoption:

I hereby move to amend Senate File No. 21 as amended by striking out all after the enacting clause and substituting therefor the following:

SECTION 1. That section eleven hundred six (1106) of the supplement to the code, 1913, be and the same is hereby repealed and the following enacted in lieu thereof:

The name of each candidate and of the office to be filled shall be printed at right angles with the length of the ballot, in plain roman type, not larger than long primer nor smaller than brevier; the name of each candidate in capital letters preceded on the same line by the title of the office in capitals and small letters. Except in case of presidential electors each name shall be followed on the same line in upper and lower case letters by the party designation of the candidate. At the right of and on a line with such name and designation, near the margin, there shall be a space so enclosed by rule work as to make a square three-eighths (3/8) of an inch in size in which the voter may designate his choice by a mark (X). Above and below each name shall be printed across the ballot a light line (except that above and below each office a heavier line shall be so printed). Below the name of the last named candidate for each office shall be placed as many blank lines as there are offices of the kind to be filled preceded by the title of such office. The spaces for the names of such candidates shall be three-eighths (3/8)



of an inch in size at right angles with such lines and at the right of the small squares shall be printed opposite each office the words "Vote for one (1)" or "Vote for two (2)" or more according to the number to be elected. Like squares shall be placed at the right of the blank lines, and on said lines the voter may write the names of persons for whom he desires to vote whose names are not printed and in the square opposite same he may make marks as in the case of the printed names. The first name printed for each office, or group of names if more than one is to be voted for the same office, shall be that of the candidate for the political party which at the last preceding general election polled the largest number of votes for the office of governor. In like manner the second and succeeding lines shall be filled with the names of candidates of the other political parties receiving respectively the highest number of votes for the office of governor. The names of candidates nominated by petition shall follow those of candidates of conventions in the order in which petitions are filed. Each such ballot shall contain above the first name thereon the words, "Put a cross (X) opposite the name of each candidate you wish to vote for in the squares indicated by the arrow," and on a line with such words and over such squares shall be printed a small arrow or point thereof pointing downward. When presidential electors are to be voted for the candidates of each party, therefor shall be grouped and printed together, the names of each group to be arranged in the order in which they were filed. The secretary of state shall cause the names of the candidates of each political party to be printed in capital letters, set in six point type, the names to be arranged in two columns. The political or party designation shall appear but once for each group, said designation following a scroll or bracket on the right, and immediately following this, in the center, shall be printed in bold type the surname of the presidential candidate represented. To the right of, and on a line of such surname, near the margin, shall be placed a square, in which the voter may indicate his choice by a mark (X), and one such mark opposite a group of presidential electors shall be counted as a vote for each elector in such group, the form for each group to be substantially as follows:

For Presidential Electors:	{ James Locke Richard Brown William Jones H. S. Wilson Chas. M. Green Bert Moore	{ W. W. Walters John Myers Clinton Clay A. B. Clark Frank J. Swan Thos. J. West	} Republican-Taft
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The relative position of the several groups shall be determined by the rules applicable to other state officers. The groups of electors shall be separated by a blank space one quarter of an inch in width and so arranged as to permit placing a cross (X) after each name, and no blank lines shall be printed therein as in the case of other candidates or groups. Above the names of the electors shall be printed in bold type, "Presidential ticket, vote once opposite group." The state ballot,

with the required heading, shall be printed below the electors, with a blank space between, one inch in width.

SEC. 2. Where non-partisan candidates are to be voted for they shall be placed under the general head of Non-Partisan Ticket and in all other respects the ballot as to such non-partisan candidates shall be made up in like manner as the ballot in respect to other offices so far as applicable. When a constitutional amendment or other public measure is to be voted upon by the electors, it shall be printed in full upon a separate ballot, preceded by the words, "Shall the following amendment to the constitution (or public measure) be adopted?" and upon the right hand margin, opposite these words, two spaces shall be left, one for votes favoring such amendment or public measure, and the other for votes opposing the same. In one of these spaces the word "yes" or other words required by law shall be printed; in the other, the word "no" or other word required, and to the right of each space a square shall be printed to receive the voting cross, all of which shall be substantially in the following form:

"Shall the following amendment to the constitution (or public measure) be adopted?"

(Here insert in full the proposed constitutional amendment or public

measure.)

The elector shall designate his vote by a cross

YES	
NO	

mark, thus, X, placed in the proper square. At the top of such ballots shall be printed the following words, enclosed in brackets: Notice to voters. For an affirmative vote upon any question submitted upon this ballot make a cross (X) mark in the square after the word "Yes." For a negative vote make a similar mark in the square following the word "No." If more than one constitutional amendment or public measure is to be voted upon, they shall be printed upon the same ballot, one below the other, with one inch space between each constitutional amendment or public measure that is to be submitted. All of such ballots for the same polling place shall be of the same size, similarly printed, upon yellow colored paper. On the back of each such ballot shall be printed appropriate words, showing that such ballot relates to a constitutional or other question to be submitted to the electors, so as to distinguish the said ballots from the official ballot for candidates for office, and a facsimile of the signature of the auditor or other officer who has caused the ballot to be printed. Such ballots shall be endorsed and given to each voter by the judges of election, as provided in section eleven hundred sixteen (1116), and shall be subject to all other laws governing ballots for candidates, so far as the same shall be applicable.

SEC. 3. That section eleven hundred nine (1109) of the supplement to the code, 1913, be and the same is hereby repealed and the following enacted in lieu thereof:

The ballot shall be on plain white paper, through which the printing or writing cannot be read. It shall be not less than four (4) or more than six (6) inches wide and as long as the list of candidates to be voted for require, in such order of proceedings as the secretary of state and county auditor shall direct conformably to the election laws of the state. On the back or outside of the ballot, so as to appear when folded shall be printed the words "Official Ballot" followed by the designation of the polling place for which the ballot is prepared, the date of the election, and a facsimile of the signature of the auditor or other officer who has caused the ballot to be printed.

SEC. 4. All acts or parts of acts inconsistent herewith are hereby repealed.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 8.

Byington  
Evans  
Horchem

Kingland  
Nelson  
Rule

Taylor  
Wilson

Nays, 28.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Buser  
Edwards  
Fellows  
Foskett  
Fralley

Greenell  
Hale  
Holdoegel  
Kimball  
Kimberly  
LeCompte  
Mitchell  
Price  
Proudfoot

Rainbow  
Ratcliff  
Reed  
Shane  
Schaffter  
Stephenson  
Stoddard  
Thompson  
Whitmore

Absent or not voting, 14.

Brookhart  
Eroxam  
Cessna  
Coburn  
Foster

Haskell  
Meredith  
Newberry  
Parker  
Pitt

Scott  
Smith  
Van Alstine  
White

The amendment was lost.

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 vote was:

## Ayes, 40.

Adams	Hale	Reed
Anderson	Heldoegel	Rule
Arney	Kimball	Schaffner
Balkema	Kimberly	Scott
Ball	LeCompte	Shane
Buser	Meredith	Smith
Cessna	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Newberry	Taylor
Evans	Parker	Thompson
Fellows	Price	Van Alstine
Foskett	Froudfoot	Whitmore
Frailey	Rateliff	Wilson
Greenell		

## Nays, 5.

Broxam	Horchem	White
Byington	Kingland	

## Absent or not voting, 5.

Brookhart	Haskell	Rainbow
Foster	Pitt	

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Kimball offered the following substitute for the title and moved its adoption:

A bill for an act to amend section ten hundred ninety-nine (1099), of the Code, and sections eleven hundred and six (1106), eleven hundred and nineteen (1119), eleven hundred and twenty (1120), eleven hundred and fifty (1150), eleven hundred and fifty-one (1151), eleven hundred and fifty-seven (1157), ten hundred and eighty-seven-c (1087-c), and eleven hundred and seventy-three (1173), Supplement to the Code, 1913, and relating to the election of presidential electors and United States senators and of vote therefor and removal of presidential electors from official ballot, and to the form of ballot, the method of voting and counting the vote of candidates.

The substitute title was adopted and the title was agreed to.

Senator Wilson offered the following concurrent resolution:

*Whereas*, there will be submitted to the voters of Iowa at the General Election of 1920 the question as to whether a constitutional convention shall be called to revise the Constitution of the State of Iowa, and

*Whereas*, it is desirable to obtain an expression of the will of the electorate of the State as to whether the bi-cameral system or a uni-cameral

system of legislature shall be adopted by such convention, if one is called **therefore**

*Be It Resolved by the Senate, the House concurring:*

That there shall be submitted to the electorate of the State at the General Election of 1920 the following proposition: "Shall the Constitutional Convention, if one is called, revise the Constitution so as to provide that one house shall constitute the legislature of the State instead of two houses as under the present Constitution.

Laid over under the rules.

#### INTRODUCTION OF BILLS.

By Senator Wilson, Senate File No. 221, a bill for an act to amend section two hundred fifty-three (253) Supplemental Supplement to the Code, 1915, relating to the salary of Judges of the District Court and expense.

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

By Senator Greenell, Senate File No. 222, a bill for an act to repeal Section twenty-five hundred fourteen-h (2514-h), Section twenty-five hundred fourteen-m (2514-m), Section twenty-five hundred fourteen-q (2514-q), Section twenty-five hundred fourteen-S (2514-S), and Section twenty-five hundred fourteen-T (2514-t) of the Supplement to the Code, 1913, and to enact substitutes therefor; also to amend section twenty-five hundred fourteen-U (2514-u) and section twenty-five hundred fourteen-W (2514-w) of the Supplement to the Code, 1913, relating to the inspection of hotels and providing for the licensing thereof.

Read first and second time and referred to committee on public health.

#### CORRECTION OF JOURNAL.

The journal of February 13th was corrected and approved.

#### EXTRA COPIES OF JOURNAL, FEBRUARY 10TH.

On motion of Senator Frailey, 500 extra copies of the journal of February 10th were ordered printed.

On motion of Senator Proudfoot, Senate adjourned until 10:00 a. m., Saturday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 15, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. Carl Brown, pastor of the M. E. church, Hamburg.

## PETITIONS AND MEMORIALS.

Senator Greenell presented a petition of the Clinton Women's Club favoring the housing law.

Referred to committee on cities and towns.

Senator Greenell presented a petition of the Clinton Commercial Club favoring permanent paved roads.

Referred to committee on highways.

Senator Wilson presented a remonstrance of citizens of Appanoose county against appropriation of \$75,000 to be expended for the employment of special agents.

Referred to committee on appropriations.

Senator Mitchell presented a remonstrance of citizens of Mahaska county opposing a bond issue for hard surfaced roads.

Referred to committee on highways.

Senator Cessna presented a remonstrance of citizens of Keokuk county against bond issue for paved roads.

Referred to committee on highways.

Senator Buser presented a petition of the Clinton Commercial Club favoring permanent paved roads.

Referred to committee on highways.

Senator Stephenson presented a remonstrance of citizens of Union county against a bond issue for paved roads.

Referred to committee on highways.

Senator Shane presented a petition of the Clinton Commercial Club favoring permanent paved roads.

Referred to committee on highways.

Senator Reed presented a remonstrance of citizens of Winnishiek County Farm Bureau against repeal or modification of game laws.

Referred to committee on fish and game.

#### LEAVE OF ABSENCE.

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

On request of Senator Hale leave of absence was granted Senators Haskell and Pitt for the day.

On request of Senator Frailey leave of absence was granted Senator Proudfoot for the day.

On request of Senator Schaffter leave of absence was granted Senators Nelson and Adams for the day.

On request of Senator Le Compte leave of absence was granted Senators Rainbow and Smith for the day.

On request of Senator Balkema leave of absence was granted Senators Arney and Foster for the day.

#### INTRODUCTION OF BILLS.

By Senator Frailey, Senate File No. 223, a bill for an act prohibiting alien ownership of land in the state of Iowa.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Le Compte, Senate File No. 224, a bill for an act to legalize deed of Wayne county, Iowa, to Ben Gilkerson for lots one (1) and two (2) in Young's Second Addition to the town of Seymour, Iowa, as shown by plat recorded in Book II, page 152.

land deed records of the office of the recorder of Wayne county, Iowa, the same being Lots One (1) and Two (2) in Block one (1) in Young's Second Addition to the town of Seymour, Iowa.

Read first and second time and referred to committee on judiciary No. 1.

By committee on cities and towns, Senate File No. 225, a bill for an act to amend the law as it appears in section five thousand forty (5040) of the Code, relating to the observance of the Sabbath.

Read first and second time and passed on file.

By Senator Parker, Senate File No. 226, a bill for an act authorizing cities and towns of the first class, including cities acting under special charter and cities acting under the commission plan of government to purchase, maintain and operate a street improvement and repair plant.

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

By Senator White, Senate File No. 227, a bill for an act to establish a home for dependent, neglected, delinquent or destitute children, residents of Iowa, as defined by the laws of Iowa, to secure necessary grounds, site, buildings and equipment therefor, conferring full power to manage, control and govern the same upon the board of control of state institutions, and to make necessary appropriations therefor.

Read first and second time and referred to committee on board of control.

By Senator Holdoegel, Senate File No. 228, a bill for an act authorizing the reduction of election boards when voting machines are used.

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

By Senator Mitchell, Senate File No. 229, a bill for an act to amend section twenty-five hundred and fifty-five (2555) of the



supplemental supplement to the code, 1915, relating to the shipment of game out of this state.

Read first and second time and referred to committee on fish and game.

By Senator Kingland, Senate File No. 230, a bill for an act providing for the appointment of a commission to investigate and report upon the subject of reformed judicature.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Anderson, Senate File No. 231, a bill for an act to encourage the dairy industry, the beef cattle growing industry and the corn and small grain growing industry in the state of Iowa, and to aid in providing instruction in practical and scientific methods and to aid in conducting an annual state corn and small grain exhibition and making an appropriation therefor.

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

#### 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. 72, a bill for an act relating to levying taxes by cities and towns for the purpose of equipping fire departments.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relative to tax levy for park improvement purposes.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relative to cemeteries in perpetual care.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relating to the fee for officiating at marriage and making return thereof.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relative to expenditures for improvements by the county board of supervisors.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 139, a bill for an act relative to sanitary sewerage.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 27, a bill for an act relative to time of holding school.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 72, a bill for an act to repeal the law as it appears in section seven hundred sixteen-b (716-b), supplement to the code, 1913, as amended by chapter one hundred fifty-one (151), acts of the thirty-seventh general assembly, relative to levying taxes by cities and towns for the purpose of equipping fire departments, and enacting a substitute therefor.

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

House File No. 131, a bill for an act to repeal chapter three hundred eighty-four of the laws of the thirty-seventh General As-

sembly, relating to a tax levy for park improvement purposes, and to enact a substitute therefor.

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

House File No. 189, a bill for an act to amend section two hundred fifty-four-a-six (254-a6), 1913 supplement to the code, relating to trust funds of cemeteries in perpetual care.

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

House File No. 86, a bill for an act to repeal Section Thirty-one Hundred Fifty-two (3152) of the code, and enact a substitute therefor, relating to the fee for officiating at marriage and making return thereof.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 53, a bill for an act amending section four hundred twenty-three (423) of the supplemental supplement to the code, 1915, relative to the expenditures for improvements by the county boards of supervisors.

Read first and second time and referred to committee on county and township affairs.

House File No. 139, a bill for an act to amend section Eight Hundred and Forty-a (840-a) of the Supplement to the Code, 1913.

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

House File No. 27, a bill for an act amending section Two Thousand Seven Hundred Seventy-Three (2773) Supplement to the Code of Iowa, 1913, relative to length of time of holding school.

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

On motion of Senator Price, Rule 33 was suspended for the day.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 17, a bill for an act to amend section two hundred fifty-four-a20 (254-a20) Supplement to the Code, 1913, relating to commitment in Juvenile Courts.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 17, a bill for an act to amend section two hundred fifty-four-a20 (254-a20) Supplement to the Code, 1913, relating to commitments in Juvenile Courts.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

## BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this fourteenth day of February, 1919, sent to the governor for his approval, Senate File No. 109, a bill for an act to amend sections thirty-seven hundred nine (3709) and thirty-seven hundred fifty-six (3756) of the Code, relating to the time within which exceptions to the charge or instructions may be given and the time within which a motion for a new trial may be made.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

## BILL SIGNED BY THE PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate File No. 17.

## REPORTS OF COMMITTEES.

Senator Rule, from the committee on military affairs, submitted the following report:

MR. PRESIDENT—Your committee on military affairs, to whom was referred Senate File No. 66, a bill for an act adopting a state flag for the state of Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

A. L. RULE, *Chairman*.

Ordered passed on file.

Senator Parker, 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. 174, a bill for an act to amend section eight hundred nine (809) of the Code, relating to the putting in of water works connection before permanent improvement of the street, alley or public place where the same is located and the taxing of the cost of same to the property benefitted if the property owner fails and neglects to put in the same and pay the cost thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns to whom was referred House File No. 134, a bill for an act granting to cities the power to adopt by ordinance double platoon system for members of the fire department, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman*.

On motion of Senator Parker, the report was adopted and the bill indefinitely postponed.

Also:

Your committee on cities and towns to whom was referred Senate File No. 181, a bill for an act to place chiefs of police under civil service in all cities in Iowa, including special charter cities, which have a board of police and fire commissioners, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman*.

On motion of Senator Parker, the report was adopted and the bill indefinitely postponed.

Also:

Your committee on cities and towns to whom was referred Senate File No. 23, a bill for an act to repeal section nine hundred ten (910) of the Code, relating to the sale of municipal bonds, and enacting a substitute therefor, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman.*

On motion of Senator Parker, the report was adopted and the bill indefinitely postponed.

Also:

Your committee on cities and towns to whom was referred House File No. 77, a bill for an act to amend section nine hundred thirty-two-e (932-e) of the Supplement to the Code of 1913, relating to pensions for disabled and retired firemen, 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. By adding publication clause, without expense to the state.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns to whom was referred Senate File No. 142, a bill for an act to amend chapter four (4), title five (5) of the Code, relating to the powers of cities and towns; and providing for the appointment of water-works trustees in cities and towns owning their own waterworks; and providing for the duties of such trustees, 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. By striking out the comma "," after the word "trustees" in line six of section three (3), and inserting in lieu thereof the following: "which appointments shall be approved and confirmed by the city council", and by striking out the small letter "t" following the said comma as it appears in line six, and inserting in lieu thereof a capital "T", and by inserting before the period in line thirteen of said section three, the following "which appointment shall be approved and confirmed by the city council".

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Senator Foskett, from the committee on appropriations, submitted the following report:

MR. PRESIDENT—Your committee on appropriations, to whom was referred Senate File No. 88, a bill for an act to repeal the law as it appears in sections 1, 2, 3, 5, 6, and 7, chapter 266, of the 37th general assembly; and to repeal sections 2291-b, 2608, 2700 and 5718, Supplement to the Code, 1913; and sections 2691 and 2713, Supplemental Supplement to the Code, 1915; and to enact substitutes therefor and to amend section 2727-a85, Supplement to the Code, 1913; and to amend chapter 362, acts of the 37th general assembly; and to amend paragraph 7, section 2727-a96, Supplemental Supplement to the Code, 1915; relating to the support funds for the various state institutions under the supervision of the board of control of state institutions, 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:

Amend the title by inserting in line four (4) thereof, after the comma ",", the word "acts". Amend by striking out section ten (10) and substituting in lieu thereof as section ten (10) the following: "That the law as it appears in paragraph seven (7) of section twenty-seven hundred twenty-seven-a96 (2727-a96), Supplemental Supplement to the Code, 1915, be and the same is hereby amended by striking out the word "fifteen" in line five (5) of said paragraph and by inserting in lieu thereof the word "twenty-four"; and by striking out the word "four" in line eleven (11) of said paragraph and by inserting in lieu thereof the word "seven". Also amend by striking out the catch-words at the commencement of each section.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Senator Hale, from the committee on board of control, submitted the following report:

MR. PRESIDENT—Your committee on board of control, to whom was referred Senate File No. 115, a bill for an act to repeal the law as it appears in section 5716 of the Supplemental Supplement to the Code of Iowa, 1915, and to enact a substitute therefor providing for the compensation and allowances of officers and employees of the reformatory at Anamosa, Iowa, and the penitentiary at Fort Madison, Iowa, beg leave to report they have had the same under consideration and recommend the same be amended as follows:

Amend by striking out of line three (3) of the title the words "of the" and from line four (4) of the title the words "of Iowa".

Amend section one (1) as follows: By striking out of line two (2) the words "of the"; by striking out of line three (3) the words "of Iowa"; by striking out of line thirty (30) the words "of the"; by striking out of line thirty-one (31) the figures "1907" and inserting in lieu thereof the figures "1913"; by striking out of line thirty-five (35) the

words 'of the'; by striking out of line thirty-six (36) the figures "1907" and inserting in lieu thereof the figures "1913".

And when so amended that said bill be referred to the appropriations committee with the recommendation that same be reported out for passage.

J. K. HALE, *Chairman.*

The report was adopted and the bill referred to committee on appropriations.

Also:

Your committee on board of control to whom was referred Senate File No. 103, a bill for an act to authorize the paving by the State of Iowa for the public highway along the south side of the property owned by the state in connection with the hospital for the insane at Cherokee, Iowa, 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 appropriations committee with the recommendations that the same be reported out for passage.

J. K. HALE, *Chairman.*

The report was adopted and the bill referred to committee on appropriations.

Also:

Your committee on board of control to whom was referred House File No. 44, a bill for an act to repeal section 5718-a4 of the Supplement to the Code, 1913, and to enact a substitute therefor, relating to the reformatory at Anamosa, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

J. K. HALE, *Chairman.*

Ordered passed on file.

Senator Fellows, from the committee on educational institutions, submitted the following report:

MR. PRESIDENT—Your committee on educational institutions, to whom was referred Senate File No. 58, a bill for an act to exclude aliens from employment as teachers in the public schools and in state institutions, 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:

Amend by adding as section 3, the following: "Nothing in this section shall be construed to apply to casual lecturers or entertainers or exchange professors for a limited period of time."

A. M. FELLOWS, *Chairman.*

Ordered passed on file.



Also:

Your committee on educational institutions to whom was referred Senate File No. 154, a bill for an act to provide training in teaching service for the Iowa State Teachers College, 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 Balkema, from the committee on highways, submitted the following report:

MR. PRESIDENT—Your committee on highways, to whom was referred House File No. 70, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-b ten (1989-b10) Supplemental Supplement to the Code, 1915, by changing the fund out of which the costs referred to in said section shall be paid, 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:

Your committee on highways to whom was referred House File No. 71, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-b seven (1989-b7) Supplemental Supplement to the Code, 1915, to provide for the issuance of ditch warrants in connection with the drainage of highways, 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:

Your committee on highways to whom was referred Senate File No. 163, a bill for an act to amend the law as it appears in section twenty-nine hundred-b (2900-b) Supplemental Supplement to the Code, 1915, permitting the carrying out of the recommendations embodied in the report of the State Highway Commission as to certain lakes, 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 Rule, from the committee on military affairs, submitted the following report:

MR. PRESIDENT—Your committee on military affairs, to whom was referred House File No. sixty-two (62), a bill for an act providing that certified copies of public records be furnished free of charge to any soldier, sailor or marine in service or honorably discharged, or any dependent of such soldier, sailor or marine, beg leave to report they have had the same under consideration, and recommend the same do pass.

A. L. RULE, *Chairman.*

Ordered passed on file.

#### AMENDMENT TO SENATE FILE NO. 142.

Senator Whitmore filed the following amendment and asked that it be printed in the journal:

I move to amend Senate File No. 142 by adding thereto the following:

SEC. 5. The provisions of this act shall be applicable to cities operated under the commission plan and having a population of less than thirty-five thousand, as to heating plants, water works, gas works, or electric light or electric power plants owned by such cities. The compensation of said trustees shall be three hundred dollars per year to each member of said board.

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 Register and The Des Moines Capital, newspapers published in Des Moines, Iowa.

#### THIRD READING OF BILLS.

On motion of Senator Balkema Senate File No. 139, a bill for an act to repeal sections four hundred forty-four (444) and four hundred forty-five (445) of the Code, 1897, relating to stock running at large; also to repeal section two thousand three hundred fourteen (2314) of the Code, 1897, relating to stock running at large, to enact a substitute for said latter section and to provide a penalty for the violation of such substituted section, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent the figures "1897" were stricken out in the bill and in the title, where they occurred following the word "code."

Senator Wilson offered the following amendment and moved its adoption:

Substitute "stock" for "animal" in lines 4 and 5 and "stock" for "an animal" in line 13 of the bill.

On a motion of Senator Wilson, Senate File No. 139 was made a special order for Tuesday at 10:30.

On motion of Senator Foskett, Senate Joint Resolution No. 6, a joint resolution making available part of funds appropriated under Chapter Two Hundred Seven (207), Acts of the Thirty-Seventh General Assembly to meet deficiency in fund set apart in Senate Joint Resolution No. 13 of the Thirty-seventh General Assembly and to maintain state-federal employment bureau, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Foskett 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.

On the question, "Shall the joint resolution be adopted?" the vote was:

Ayes, 36.

Anderson	Fralley	Reed
Balkema	Hale	Rule
Ball	Holdoegel	Schaffter
Brookhart	Horchem	Scott
Buser	Kingland	Shane
Byington	LeCompte	Stephenson
Cessna	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Newberry	Thompson
Evans	Parker	White
Fellows	Price	Whitmore
Foskett	Ratcliff	Wilson

Nays, none.

Absent or not voting, 14.

Adams	Haskell	Proudfoot
Arney	Kimball	Rainbow
Broxam	Kimberly	Smith
Foster	Nelson	Van Alstine
Greenell	Pitt	

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

On motion of Senator Le Compte, Senate File No. 76, a bill for an act to amend the law as it appears in section eleven hundred

one (1101) supplemental supplement to the code, relating to the withdrawal of candidates regularly nominated for office with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Le Compte offered the following amendment as a substitute for the committee amendment:

I move to amend Senate File No. 76, by striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. That the law as it appears in section eleven hundred one (1101) Supplemental Supplement to the Code, 1915, be and the same is hereby amended by inserting after the word "auditor" and before the word "or" in line five, the word "fifteen" and by striking out the word "fifteen" after the word "clerk" and before the word "days" in the same line and inserting the word "twelve".

The amendment was adopted.

Senator Le Compte 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 vote was:

Ayes, 36.

Anderson	Greenell	Reed
Balkema	Hale	Rule
Ball	Holdoegel	Schaffter
Brookhart	Horchem	Scott
Buser	Kingland	Shane
Byington	LeCompte	Stephenson
Coburn	Meredith	Stoddard
Edwards	Mitchell	Thompson
Evans	Newberry	Van Alstine
Fellows	Parker	White
Foskett	Price	Whitmore
Frailey	Ratchiff	Wilson

Nays, none.

Absent or not voting, 14.

Adams	Haskell	Proudfoot
Arney	Kimball	Rainbow
Proxam	Kimberly	Smith
Cessna	Nelson	Taylor
Foster	Pitt	

So the bill having received a constitutional majority was declared to have passed the Senate. By unanimous consent the fig-

tures "1915" were inserted in the title following the word "code" and the title as amended was agreed to.

#### SPECIAL ORDERS.

On motion of Senator Whitmore, Senate File No. 210 was made a special order for Thursday, February 20, at 10:30.

On motion of Senator Price, Senate File No. 82 was made a special order for Friday, March 7, at 10:30.

#### HOUSE FILE NO. 121 RE-REFERRED.

On motion of Senator Whitmore, House File No. 121 was re-referred to committee on judiciary No. 2.

#### THIRD READING OF BILLS.

On motion of Senator Whitmore, Senate File No. 16, a bill for an act limiting the period in which increase of compensation of public officers, agents or employes shall be effective, with report of committee recommending amendments and passage, was taken up, considered and the report of the committee adopted.

The following committee amendment was adopted:

Substitute a comma for the final period in section one, and add thereto the following:

"After which time the compensation for such service shall be the same as provided by law prior to the convening of the thirty-eighth general assembly".

Senator Whitmore 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 vote was:

Ayes, 35.

Anderson	Hale	Schaffter
Balkema	Holdoegel	Scott
Ball	Horchem	Shane
Brookhart	Kingland	Stephenson
Cessna	LeCompte	Stoddard
Coburn	Meredith	Taylor
Edwards	Newberry	Thompson
Evans	Parker	Van Alstine
Fellows	Price	White
Foskett	Ratcliff	Whitmore
Fralley	Reed	Wilson
Greenell	Rule	

Nays, none.

Absent or not voting, 15.

Adams	Foster	Nelson
Arney	Haskell	Pitt
Broxam	Kimball	Proudfoot
Buser	Kimberly	Rainbow
Byington	Mitchell	Smith

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 Foskett, Senate File No. 88, a bill for an act to repeal the law as it appears in sections one (1), two (2), three (3), five (5), six (6) and seven (7), chapter two hundred sixty-six (266), of the Thirty-seventh General Assembly; and to repeal sections twenty-two hundred ninety-one-b (2291-b), twenty-six hundred eight (2608), twenty-seven hundred (2700), and fifty-seven hundred eighteen (5718), supplement to the code, 1913; and sections twenty-six hundred ninety-one (2691) and twenty-seven hundred thirteen (2713), supplemental supplement to the code, 1915; and to enact substitutes therefor and to amend section twenty-seven hundred twenty-seven-a85 (2727-a85), supplement to the code, 1913; and to amend chapter three hundred sixty-two (362), acts of the Thirty-seventh General Assembly; and to amend paragraph seven (7), section twenty-seven hundred twenty-seven-a96 (2727-a96), supplemental supplement to the code, 1915; relating to the support funds for the various state institutions under the supervision of the board of control of state institutions, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

Senator Price raised the point of order that the discussion was not on the matter under consideration. The president held the point of order well taken.

Senator Foskett moved the adoption of the following committee amendments:

Amend the title by inserting in line four (4) thereof, after the comma ",", the word "acts".

Amend by striking out section ten (10) and substituting in lieu thereof as section ten (10) the following: "That the law as it appears in paragraph seven (7) of section twenty-seven hundred and twenty-seven-a96

(2727-a96), Supplemental Supplement to the Code, 1915, be and the same is hereby amended by striking out the word "fifteen" in line five (5) of said paragraph and by inserting in lieu thereof the word "twenty-four"; and by striking out the word "four" in line eleven (11) of said paragraph and by inserting in lieu thereof the word "seven".

Also amend by striking out the catch-words at the commencement of each section.

The amendments were adopted.

Senator Foskett 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 vote was:.

Ayes, 37.

Anderson	Hale	Rule
Balkema	Holdoegel	Schaffter
Ball	Horchem	Scott
Brookhart	Kingland	Shane
Buser	LeCompte	Stephenson
Cessna	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Newberry	Thompson
Evans	Parker	Van Aistine
Fellows	Price	White
Foskett	Ratcliff	Whitmore
Frailey	Reed	Wilson
Greenell		

Nays, none.

Absent or not voting, 13.

Adams	Haskell	Felt
Arney	Kimball	Proudfoot
Broxam	Kimberly	Rainbow
Eyington	Nelson	Smith
Foster		

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 Ratcliff Senate File No. 18, a bill for an act amending section two thousand seven hundred seventy-three (2773), supplement to the code of Iowa, 1913, relative to length of time of holding school, with report of committee recommending amendments and passage, was taken up for consideration, and House File No. 27, a companion bill, was substituted therefor.

Senator Ratcliff offered the following amendment and moved its adoption:

Strike out the words "of Iowa" in line 2 of the title and also in line 3 of section 1 and insert in lieu thereof in each instance a comma.

The amendment was adopted.

On motion of Senator Newberry, House File No. 27 was made a special order for Monday at 11 a. m.

On motion of Senator Whitmore, Senate adjourned until 9:30 a. m. Monday.



# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 17, 1919.

Senate met in regular session, President pro tempore Arney presiding.

Prayer was offered by Henry K. Hawley, pastor of the Congregational church, Ames.

## PETITIONS AND MEMORIALS.

Senator Arney presented a petition of citizens of Marshall county relative to cigarette law.

Referred to committee on public health.

Senator Kingland presented a petition of citizens of Mitchell county relative to cigarette law.

Referred to committee on public health.

Senator Hale presented a remonstrance of citizens of Jones county against the public utility bill.

Referred to committee on public utilities.

Senator Parker presented a petition of citizens of Polk county relative to the cigarette law.

Referred to committee on public health.

Senator Rainbow presented a petition of citizens of Black Hawk county relative to cigarette law.

Referred to committee on public health.

Senator Edwards presented a petition of citizens of Boone county relative to cigarette law.

Referred to committee on public health.

Senator Byington presented a remonstrance of citizens of Iowa county against bond issue for paved roads.

Referred to committee on highways.

Senator Edwards presented a petition of Clinton Commercial Club favoring permanent paved roads.

Referred to committee on highways.

Senator Greenell presented a petition of the Eastern Iowa Retail Lumber Dealers' Association, Clinton, favoring better roads.

Referred to committee on highways.

Senator Buser presented a petition of citizens of Muscatine county relative to cigarette law.

Referred to committee on public health.

Senator Buser presented a remonstrance of citizens of Muscatine and Louisa counties against bond issue for paved roads.

Referred to committee on highways.

Senator Stephenson presented a remonstrance of citizens of Ringgold county against bond issue for paved roads.

Referred to committee on highways.

Senator Smith presented a petition of the War Memorial Association of Madison county relative to the erection of a monument to the memory of soldiers and sailors serving in the recent war.

Referred to committee on county and township affairs.

Senator Broxam presented a petition of Clinton Commercial Club favoring hard roads.

Referred to committee on highways.

Senator Frailey presented a petition of the board of education of the Keokuk public schools favoring a teachers' compensation law.

Referred to committee on schools.

Senator Byington presented a petition of citizens of Iowa county relative to cigarette law.

Referred to committee on public health.

Senator Stoddard presented a remonstrance of city council of Sioux City against bill requiring all commission governed cities to place their water works system in the hands of boards of trustees.

Referred to committee on cities and towns.

Senator Holdoegel presented a petition of Webster county supervisors relative to compensation of county supervisors.

Referred to committee on county and township affairs.

Senator Schaffter presented a petition of citizens of Hamilton county favoring Iowa state housing bill.

Referred to committee on cities and towns.

Senator Anderson presented a remonstrance of citizens of Carroll county against bond issue for paved roads.

Referred to committee on highways.

Senator Scott presented a petition of citizens of Chickasaw county favoring cigarette bill.

Referred to committee on public health.

Senator Van Alstine presented a petition of citizens of Pocahontas county favoring cigarette bill.

Referred to committee on public health.

Senator Wilson presented a petition of citizens of Appanoose county relative to cigarette bill.

Referred to committee on public health.

Senator Reed presented a petition of citizens of Winneshiek county relative to cigarette bill.

Referred to committee on public health.

Senator Haskell presented a petition of citizens of Linn county relative to cigarette bill.

Referred to committee on public health.

Senator White presented a petition of citizens of Benton county relative to cigarette bill.

Referred to committee on public health.

#### INTRODUCTION OF BILLS.

By Senator Greenell, Senate File No. 232, a bill for an act to amend Section Thirty-one Hundred Forty Two (3142) of the Code relating to the issuance of marriage license.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Foskett, Senate File No. 233, a bill for an act to amend the law as it appears in section twenty-six hundred eighty-two-m (2682-m), Supplement to the Code, 1913, relating to the mileage paid to members of the Iowa State Board of Education.

Read first and second time and referred to committee on departmental affairs.

By Senator Scott, Senate File No. 234, a bill for an act creating a vendor's lien on tools, implements, machinery, vehicles or other farm equipment used in the production, preparation, harvesting or marketing of farm crops or farm products, and providing for the filing and enforcement of same: requiring notice of any such unsatisfied lien to be given a prospective purchaser or lien holder, and fixing a penalty for the failure of the owner to give such notice.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Balkema, Senate File No. 235, a bill for an act to authorize cities and towns to construct all street improvements including grading, sewers and sidewalks and to repair the same.

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

By Senator Anderson, Senate File No. 236, a bill for an act to amend the law as it appears in Section Twenty-eight Hundred Twenty-d-four (2820-d-4), Supplement to the Code, 1913, relating to the vote required to authorize the issuance of bonds and to legalize elections heretofore held in school districts, where a majority of the votes cast at such elections was in favor of issuing bonds and to legalize such bonds.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Rainbow, Senate File No. 237, a bill for an act relating to fire protection and providing regulations as to the use of scenery in opera houses or theaters and providing for inspection of opera houses and theaters and making it a misdemeanor to operate an opera house or theater without complying with the provisions of this act.

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

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 the following bill:

House File No. 40, a bill for an act to amend Section Four Hundred Fifty-eight-d (458-d), Supplement to Code, 1913, relating to the Drawing of Warrants to pay claims for injuries to domestic animals, and providing when said warrants shall be drawn.

Also:

House File No. 54, a bill for an act to amend sections six hundred ninety-four-c3 (694-c3), six hundred ninety-four-c5 (694-c5), and six hundred ninety-four-c16 (694-c16), supplemental supplement to the code, 1915, providing the method of submitting the proposition for the establishment of the municipal court, conducting the election, certifying results, appointment and election of judge or judges, clerk and bailiff, and

providing the method for filling vacancies in said offices, and defining what shall constitute a vacancy.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 15th day of February, 1919, sent to the governor for his approval, Senate File No. 17, a bill for an act to amend section two hundred fifty-four-a20 (254-a20) supplement to the code, 1913, relating to commitments in juvenile courts.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORTS OF COMMITTEES.

Senator Ball, from the committee on public health, submitted the following report:

MR. PRESIDENT—Your committee on public health, to whom was referred Senate File No. 25, a bill for an act amending Section 2568 of Code of 1897, to make Health Physician a member of Local Board of Health in towns and cities, beg leave to report they have had the same under consideration and recommend the same do pass.

GEO. W. BALL, *Chairman.*

Ordered passed on file.

Senator Smith, from the committee on claims, submitted the following report:

MR. PRESIDENT—Your committee on claims, to whom was referred Senate File No. 34, a bill for an act to compensate J. C. Kuble for personal injuries received in a collision with an automobile owned by the State of Iowa and driven by one of its employees, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

E. M. SMITH, *Chairman.*

On motion of Senator Smith, the report was adopted and the bill indefinitely postponed.

Senator Anderson, from the committee on public buildings, submitted the following report:

MR. PRESIDENT—Your committee on public buildings, to whom was referred Senate File No. 73, a bill for an act authorizing the erection of a Soldiers and Sailors Memorial in form of a building for the housing of the library and all judicial departments of the state and providing for a Joint Committee to provide plans and contracts, fixing the approximate cost, providing for the erection of the same under section fourteen hundred-t-two (1400-t-2) of the supplement to the code, 1913, and providing for payment of cost of same from funds provided by section fourteen hundred-t (1400-t) of the supplement to the code, 1913, and providing for compensation of Committee, 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:

That there be added to section 2 of the bill the following:

The main hall, corridors and such other portions of the building as the building committee shall designate shall be arranged for tablets, medallions, receptacle for flags, and place for the preservation of trophies and mementoes of such world event as will carry out the purposes of this section.

That the bill be further amended by substituting for the words and figures "1917" and in line four (4) of section 2, the following: "1914".

That the bill be further amended by adding to section four (4) the following:

And the said Building Committee may, if necessary, to provide such suitable building increase the said cost of the same, but not beyond the amount provided by the fund hereinafter referred to.

That the bill be further amended by adding to section five (5) the following:

And out of the proceeds of the fund provided by Chapter two hundred seven (207) of the laws of the Thirty-Seventh General Assembly, including all reimbursements made to such fund from the Federal Government, if any, provided, however, only such portion of said fund shall be so used for the purpose of this act as is unexpended and not needed for the purposes of that act.

W. W. ANDERSON, *Chairman.*

The bill was referred to committee on appropriations.

#### CORRECTION OF JOURNAL.

The journal of February 15th was corrected and approved.

#### CONCURRENT RESOLUTION.

Senator Ball offered the following resolution:

*Whereas*, the chairs provided for the committee clerks at the senators' desks are of an antiquated style and belong to a past age in which they

were bought and should be replaced with chairs in harmony with the other furniture of the chambers, therefore

*Be It Resolved by the Senate, the House concurring.* that the executive council is hereby directed to purchase from the board of control and install in the House and Senate chambers such chairs as shall be selected by a committee composed of two Senators and three members from the House to be appointed by the President and Speaker of the respective Houses.

By unanimous consent, the resolution was taken up for consideration and adopted.

#### LEAVE OF ABSENCE.

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

On request of Senator Brookhart leave of absence was granted Senator Evans for the day.

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

On motion of Senator Kingland, Rule 33 was suspended for the day.

#### THIRD READING OF BILLS.

On motion of Senator Kimberly House File No. 36, a bill for an act to amend section seven hundred ninety-two (792) of the Supplement to the Code of 1913, referring to assessing cost of improvements, repavement and disposal of waste material, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted. •

By unanimous consent, an amendment was adopted, striking out the word "of" following the word "Code" in line 2 of the title and inserting a comma in lieu thereof.

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

On the question "Shall the bill pass?" the vote was:



Ayes, 41.

Adams	Hale	Ratcliff
Anderson	Holdoegel	Reed
Arney	Horchem	Rule
Balkema	Kimberly	Schaffter
Ball	Kingland	Shane
Broxam	LeCompte	Smith
Buser	Meredith	Stephenson
Byington	Mitchell	Stoddard
Coburn	Nelson	Thompson
Edwards	Newberry	Van Alstine
Fellows	Parker	White
Foskett	Pitt	Whitmore
Fralley	Proudfoot	Wilson
Greenell	Rainbow	

Nays, none.

Absent or not voting, 9.

Brookhart	Foster	Price
Cesena	Haskell	Scott
Evans	Kimball	Taylor

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 Ratcliff, House File No. 18, a bill for an act to amend section four hundred ninety-five (495), Supplemental supplement to the code, 1915, relating to fees to be reported and paid to the county by the county recorder, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 44.

Adams	Cesena	Haskell
Arney	Coburn	Holdoegel
Balkema	Edwards	Horchem
Ball	Fellows	Kimberly
Broxam	Foskett	Kingland
Buser	Fralley	LeCompte
Byington	Hale	Meredith

Mitchell	Ratcliff	Stoddard
Nelson	Reed	Taylor
Newberry	Rule	Thompson
Parker	Schaffter	Van Alstine
Pitt	Scott	White
Price	Shane	Whitmore
Proudfoot	Smith	Wilson
Rainbow	Stephenson	

Nays, none.

Absent or not voting, 6.

Anderson	Evans	Greenell
Brookhart	Foster	Kimball

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

#### SENATE FILE NO. 48 WITHDRAWN.

By unanimous consent, Senator Ratcliff withdrew Senate File No. 48 from further consideration.

#### THIRD READING OF BILLS.

On the motion of Senator Cessna, House File No. 38, a bill for an act to amend the law as it appears in section four hundred twelve (412) of the supplement to the code, 1913, relative to the meetings of the Board of Supervisors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Cessna 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 vote was:

Ayes, 46.

Adams	Cessna	Haskell
Anderson	Coburn	Holdoegel
Arney	Edwards	Horchem
Balkema	Fellows	Kimberly
Ball	Foskett	Kingland
Broxam	Fralley	LeCompte
Buser	Greenell	Meredith
Byington	Hale	Mitchell

Nelson	Reed	Stoddard
Newberry	Rule	Taylor
Parker	Schaffter	Thompson
Pitt	Scott	Van Alstine
Price	Shane	White
Proudfoot	Smith	Whitmore
Rainbow	Stephenson	Wilson
Ratcliff		

Nays, none.

Absent or not voting, 4.

Brookhart	Foster	Kimball
Evans		

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 Broxam, Senate File No. 217, introduced by committee on judiciary No. 2 as a substitute for Senate File No. 40, a bill for an act to legalize a special election held in the city of Maquoketa, Jackson County, Iowa, on the 29th day of December, 1916, wherein there was submitted to the voters of said city a proposition to establish, erect, construct and furnish a municipal electric light and power plant within said city, and to legalize an election in said city held on the 24th day of September, 1918, wherein there was submitted to the voters thereof a proposition to issue bonds of said city in the sum of \$65,000.00 to be used for the establishment, creating, construction and furnishing of said municipal electric light and power plant within said city, was taken up and considered.

Senator Broxam 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 vote was:

Ayes, 40.

Adams	Edwards	Kingland
Anderson	Fellows	Meredith
Arney	Fralley	Mitchell
Balkema	Greenell	Nelson
Ball	Hale	Newberry
Broxam	Haskell	Parker
Buser	Holdoegel	Pitt
Byington	Horchem	Proudfoot
Coburn	Kimberly	Rainbow

Ratcliff  
Reed  
Rule  
Schaffter  
Scott

Smith  
Stephenson  
Taylor  
Thompson

Van Alstine  
White  
Whitmore  
Wilson

Nays, none.

Absent or not voting, 10.

Brookhart  
Cessna  
Evans  
Foskett

Foster  
Kimball  
LeCompte

Price  
Shane  
Stoddard

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

#### SENATE FILE NO. 40 WITHDRAWN.

By unanimous consent Senator Broxam withdrew Senate File No. 40 from further consideration.

#### BILLS SIGNED BY PRESIDENT.

The president pro tem announced that as president pro tem of the Senate in the presence of the Senate he had signed House Files 40 and 54.

#### THIRD READING OF BILLS.

On motion of Senator Ratcliff, House File No. 27, a bill for an act amending section two thousand seven hundred seventy-three (2773), supplement to the code of Iowa, 1913, relative to length of time of holding school, was taken up and considered.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 40.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Broxam  
Buser  
Byington  
Cessna

Edwards  
Fellows  
Foskett  
Frailey  
Greenell  
Hale  
Haskell  
Holdoegel  
Horchem

Kimberly  
Nelson  
Newberry  
Parker  
Pitt  
Price  
Proudfoot  
Rainbow  
Ratcliff

Reed  
Rule  
Schaffter  
Scott  
Smith

Stephenson  
Stoddard  
Taylor  
Thompson

Van Alstine  
White  
Whitmore  
Wilson

Nays, 1.

Kingland

Absent or not voting, 9.

Brookhart  
Coburn  
Evans

Foster  
Kimball  
LeCompte

Meredith  
Mitchell  
Shane

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

#### SENATE FILE NO. 18 WITHDRAWN.

By unanimous consent Senator Ratcliff withdrew Senate File No. 18 from further consideration.

Senator Holdoegel moved that the committee on printing be instructed to have the calendars printed in the form used in previous general assemblies.

Senator Whitmore moved that the matter be referred to the committee on printing.

The motion prevailed.

#### THIRD READING OF BILLS.

On motion of Senator Hale, Senate File No. 60, a bill for an act to amend chapter three hundred seventy (370) of the acts of the thirty-seventh (37) General Assembly, relating to the appointment and compensation of State Agents by the Board of Control, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking out the catchwords at the commencement of each section.

Senator Foskett offered the following amendment and moved its adoption:

I move to amend Senate File No. 60 by striking out the words "of the" in line one of the title, and inserting the words and figures "and to repeal Section two (2) of Chapter Three Hundred Forty-nine (349)" in lieu thereof. Also renumber section three as section four, and insert as section three the following: "That Section Two (2) of Chapter Three Hundred Forty-nine (349) of the Acts of the Thirty-seventh General Assembly be and the same is hereby repealed;"

The amendment was adopted.

Senator Hale 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 vote was:

Ayes, 44.

Adams	Hale	Reed
Anderson	Haskell	Rule
Arney	Holdoegel	Schaffter
Balkema	Horchem	Scott
Ball	Kimberly	Shane
Brookhart	Kingland	Smith
Buser	LeCompte	Stephenson
Byington	Mitchell	Stoddard
Cessna	Nelson	Taylor
Coburn	Newberry	Thompson
Edwards	Parker	Van Alstine
Fellows	Price	White
Foskett	Proudfoot	Whitmore
Fralley	Rainbow	Wilson
Greenell	Ratcliff	

Nays, none.

Absent or not voting, 6.

Proxam	Foster	Meredith
Evans	Kimball	Pitt

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 Arney, Senate File No. 168, a bill for an act providing for the establishment of dental clinics for school children and the offering of certain courses of instruction in certain schools and the employment of dentists and dental hy-

gienists by public school corporations, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking out the word "teachers" in the last line of said bill and substituting in lieu thereof the word "general."

Senator Arney 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 vote was:

Ayes, 45.

Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimberly	Scott
Broxam	Kingland	Shane
Buser	LeCompte	Smith
Byington	Mitchell	Stephenson
Cesena	Nelson	Stoddard
Coburn	Newberry	Taylor
Edwards	Parker	Thompson
Fellows	Pitt	Van Alstine
Foskett	Price	White
Fralley	Proudfoot	Whitmore
Greenell	Rainbow	Wilson

Nays, none.

Absent or not voting, 5.

Adams	Foster	Meredith
Evans	Kimball	

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 Parker, House File No. 77, a bill for an act to amend section nine hundred and thirty-two-e (932-e) of the supplement to the code of 1913, relating to pensions for disabled and retired firemen, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The committee amendment, adding a publication clause without expense to the state, was adopted.

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

On the question "shall the bill pass?" the vote was:

Ayes, 37.

Adams	Holdoegel	Reed
Anderson	Horchem	Rule
Arney	Kimberly	Schaffter
Ball	Kingland	Shane
Brookhart	LeCompte	Stephenson
Buser	Mitchell	Stoddard
Byington	Nelson	Taylor
Coburn	Newberry	Thompson
Edwards	Parker	Van Alstine
Fellows	Pitt	Whitmore
Frailey	Price	Wilson
Hale	Rainbow	
Haskell	Ratcliff	

Nays, none.

Absent or not voting, 13.

Balkema	Foster	Scott
Broxam	Greenell	Smith
Ceasna	Kimball	White
Evans	Meredith	
Foskett	Proudfoot	

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

#### SENATE FILE NO. 58 MADE SPECIAL ORDER.

On motion of Senator Byington, Senate File No. 58 was made a special order for Thursday, February 20th, at 11 a. m.

#### THIRD READING OF BILLS.\*

On motion of Senator Frailey, Senate File No. 66, a bill for an act adopting a state flag for the state of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.



Senator Holdoegel offered the following amendment and moved its adoption:

I move to amend the pending bill by striking from line 1 of Section 2, the word "shall" and inserting in lieu thereof the word "may," and by striking from line 2 of Section 2, the word "all."

The amendment was lost.

Senator Van Alstine offered the following amendment and moved its adoption:

I move to amend Senate File No. 66 by striking out all following the word "flag" where it occurs in line 1 of Section 2 to the comma where it occurs in line 6 of Section 2, and insert in lieu thereof "may be used and displayed as a state emblem."

Senator Parker raised the point of order that the amendment proposed pertained to the same subject matter as the one just previously voted upon and rejected by the senate.

The president declared the point not well taken because while there was some similarity, there was enough difference to justify the consideration of the amendment just offered.

Senator Proudfoot rose to the point of order that Senator Frailey in closing the debate had forestalled further discussion and amendments. Senator Frailey declared that it was not his intention to prevent further debate if desired.

The president held the point of order not well taken.

Senator Frailey moved the previous question. Motion prevailed and the previous question was ordered.

The amendment proposed by Senator Van Alstine was not adopted.

Senator Frailey 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 vote was:

Ayes, 14.

Anderson	Horchem	Scott
Broxam	Newberry	Stoddard
Frailey	Price	Taylor
Haskell	Ratcliff	Van Alstine
Holdoegel	Rule	

Nays, 30.

Adams	Foskett	Rainbow
Arney	Greenell	Reed
Ball	Hale	Schaffter
Brookhart	Kimberly	Shane
Buser	Meredith	Smith
Byington	Mitchell	Stephenson
Cessna	Nelson	Thompson
Coburn	Parker	White
Edwards	Pitt	Whitmore
Fellows	Proudfoot	Wilson

Absent or not voting, 6.

Balkema	Foster	Kingland
Evans	Kimball	LeCompte

So the bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

#### 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. 91, a bill for an act relating to the adoption of ordinances of cities and towns.

W. C. RAMSAY, *Chief Clerk.*

Also:

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 authorizing the executive council to sell certain lands belonging to the state and purchase other lands.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relating to levy of taxes for fire fund

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in the Senate amendments to House File No. 40 and House File No. 54 in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 13, a bill for an act relating to publication of the session laws.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGE CONSIDERED.

House File No. 133, a bill for an act to amend chapter one hundred thirty-one (131), acts of the thirty-seventh general assembly, relating to the levying of taxes for fire fund.

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

On motion of Senator Parker, Senate adjourned until 9:30 a. m. Tuesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 18, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. J. C. Curry, pastor of First Baptist church of Grundy Center.

## LEAVE OF ABSENCE.

On request of Senator Balkema leave of absence was granted Senator Foster for the day on account of illness.

## PETITIONS AND MEMORIALS.

Senator Price presented a remonstrance of citizens of Marion county against bond issue for paved roads.

Referred to committee on highways.

Senator Anderson presented a petition of citizens of Carroll county favoring cigarette bill.

Referred to committee on public health.

Senator Fellows presented a petition of citizens of Fayette county favoring cigarette bill.

Referred to committee on public health.

Senator Newberry presented a petition of citizens of Clayton county favoring cigarette bill.

Referred to committee on public health.

Senator Adams presented a petition of citizens of Kossuth county favoring cigarette bill.

Referred to committee on public health.

Senator Thompson presented a petition of citizens of Des Moines county favoring cigarette bill.

Referred to committee on public health.

Senator Thompson presented a remonstrance of citizens of Des Moines county against bond issue for paved roads.

Referred to committee on highways.

Senator White presented a petition of citizens of Benton county favoring cigarette bill.

Referred to committee on public health.

Senator Rule presented a remonstrance of citizens of Cerro Gordo county against granting to the attorney general's office \$75,000 yearly for state agents.

Referred to committee on appropriations.

Senator Mitchell presented a remonstrance of citizens of Mahaska county against bond issue for paved roads.

Referred to committee on highways.

Senator Broxam presented a petition of the Eastern Iowa Retail Lumber Dealers Association favoring better roads.

Referred to committee on highways.

Senator Scott presented a petition of citizens of Floyd county favoring the bill granting \$75,000 yearly for state agents.

Referred to committee on appropriations.

Senator Brookhart presented a remonstrance of citizens of Henry county against bond issue for hard surfaced roads.

Referred to committee on highways.

Senator Evans presented a remonstrance of citizens of Butler county against granting \$75,000 yearly for state agents.

Referred to committee on appropriations.

Senator Van Alstine presented a petition of the Federation of Women's Clubs, of the tenth district favoring the housing bill and the maximum hour of labor bill.

Referred to committee on cities and towns.

Senator Arney presented a petition of citizens of Marshall county favoring cigarette bill.

Referred to committee on public health.

Senator Holdoegel presented a remonstrance of citizens of Calhoun county against bond issue for paved roads.

Referred to committee on highways.

Senator Holdoegel presented a petition of the local Union No. 584, United Association of Plumbers, Ft. Dodge, relative to repeal of the plumbing law.

Referred to committee on cities and towns.

Senator Holdoegel presented a petition of citizens of Calhoun county favoring the cigarette bill.

Referred to committee on public health.

Senator Rainbow presented a petition of citizens of Black Hawk county favoring the cigarette bill; also a remonstrance from the W. C. T. U. against its passage.

Referred to committee on public health.

Senator Edwards presented a petition of citizens of Boone county favoring cigarette bill.

Referred to committee on public health.

Senator Cessna presented a remonstrance of citizens of Keokuk county against bond issue for paved roads.

Referred to committee on highways.

Senator Rainbow presented a petition of the W. C. T. U., Black Hawk county favoring appropriation of \$75,000 for state agents.

Referred to committee on appropriations.

Senator Frailey presented a petition of citizens of Lee county favoring cigarette bill.

Referred to committee on public health.

#### INTRODUCTION OF BILLS.

By Senator Brookhart, Senate File No. 238, a bill for an act to amend section three thousand ninety-two (3092) of the code, section three thousand ninety-three (3093) supplement to the code, 1913, and section three thousand ninety-four (3094) Supplemental Supplement to the code, 1915, relating to the time when a sub-contractor may file a mechanic's lien, owner's liability and discharge thereof, and to a sub-contractor's claim after ninety days.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Thompson, by request, Senate File No. 239, a bill for an act to repeal section seven hundred thirty-seven-a (737-a), supplement to the Code, 1913, and to enact a substitute therefor, empowering the state board of health to draft a code regulating the business of plumbing, requiring all cities and incorporated towns, having sanitary sewerage systems or other systems of domestic sewage disposal, including cities acting under the commission form of government, and special charter cities, to regulate the business of plumbing; to make rules and regulations for the installation of same; to create a board of examiners of plumbers; in cities and incorporated towns having a sanitary sewerage system or other system of domestic sewage disposal, to issue certificates, or licenses to persons, firms or corporations desiring to engage in the business of plumbing who are properly qualified; to provide for the removal of plumbing installed in violation of the manner prescribed, and providing for punishment for a violation of the terms of this act.

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

By Senator Ball, Senate File No. 240, a bill for an act to amend the law as it appears in section twenty-four hundred sixteen (2416) of the code, 1897, relating to the disposition of liquors seized and condemned for forfeiture by the court.

Read first and second time and referred to committee on public health.

By Senator Mitchell, Senate File No. 241, a bill for an act to fix standards for apples when packed in closed packages, and requiring such packages to be branded or labeled so as to show the grade, variety and size or number of the apples packed therein, and making it a misdemeanor to pack for sale, ship for sale, consign for sale or sell apples which are not graded, packed and labeled as provided in this act.

Read first and second time and referred to committee on horticulture and forestry.

By committee on printing, Senate File No. 242, a bill for an act providing for the amendment of section Four Hundred and Forty-one of the Supplemental Supplement to the Code, 1915, relating to selection of official newspapers.

Read first and second time and passed on file.

By Senator Holdoegel, Senate File No. 243, a bill for an act to amend the law as it appears in chapter two hundred and fifteen (215) of the Acts of the Thirty-fourth (34) General Assembly relating to the apportionment of the state into representative districts and declaring the ratio of representation.

Read first and second time and referred to committee on congressional and judicial districts.

By Senator Whitmore, Senate File No. 244, a bill for an act repealing section one thousand eighty-seven-b (1087-b) and one thousand eighty-seven-b-two (1087-b2), Supplement to the Code, 1913, and providing a separate ballot for the non-partisan judiciary ticket.

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

By Senator Newberry, Senate File No. 245, a bill for an act to amend the law as it appears in section two thousand eight hundred thirty-one (2831) supplement to the Code, 1913, and section two thousand eight hundred thirty-three (2833) of the Code; and



section one thousand seventy-two (1072) supplement to the Code, 1913, relating to county board of education.

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

By Senator Proudfoot, Senate File No. 246, a bill for an act to amend the law as it appears in sections eleven hundred ninety-eight (1198), eleven hundred ninety-nine (1199), twelve hundred five (1205), twelve hundred twenty (1220), twelve hundred twenty-eight (1228) and twelve hundred thirty-two (1232), relating to contesting elections and making the provisions for contest applicable to the vote upon constitutional amendments and other public measures.

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

By Senator Proudfoot, Senate File No. 247, a bill for an act to require bills having for their purpose the modification or amendment of existing statutes, to be so framed as to contain in full the new statute as modified and amended rather than by interlineation in or addition to such existing statute.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Parker, Senate File No. 248, a bill for an act to authorize and empower the executive council to lease the right to mine the coal from under all that portion of the present state fair ground lying east of a line running north and south two hundred (200) feet, east of the present poultry building.

Read first and second time and referred to committee on board of control.

On motion of Senator Stoddard rule 33 was suspended for the day.

#### VOORHEES MEMORIAL RESOLUTION.

Senator Nelson offered the following resolution:

*Whereas*, Hon. John C. Voorhees, of Anita, Cass county, Iowa, who was a member of the Senate in the Thirty-sixth, and Thirty-seventh General

Assemblies of Iowa, died November 21st, 1918; Therefore Be It Resolved, that a committee of three be appointed to prepare a memorial fittingly to commemorate his life and services to his state and nation.

By unanimous consent, the resolution was taken up, considered and adopted.

The president appointed as such committee, Senators Nelson, Horchem and Whitmore.

#### M'MANUS MEMORIAL RESOLUTION.

Senator Frailey offered the following resolution:

*Whereas*, Honorable Edward P. McManus, a former member of the Iowa State Senate in the Thirty-second, Thirty-third, Thirty-fourth, and Thirty-fifth General Assembly, died at his home in Keokuk, Iowa, on the eighth day of January, 1918, therefore, Be It Resolved, that a committee of three be appointed by the president of the Senate to prepare and submit suitable resolutions to commemorate his life, character and services to the state.

By unanimous consent, the resolution was taken up, considered and adopted.

The president appointed as such committee, Senators Frailey, Newberry and Proudfoot.

#### REPORTS OF COMMITTEES.

Senator Coburn, from the committee on agriculture, submitted the following report:

MR. PRESIDENT—Your committee on agriculture, to whom was referred Senate File No. 199, a bill for an act to repeal Section five thousand seventy seven-A-seventeen (5077-A17) supplement to the code, 1913, and to enact a substitute therefor, relating to agricultural seeds, beg leave to report they have had the same under consideration and recommend the same do pass.

GEORGE L. COBURN, *Chairman*.

Ordered passed on file.

Senator Wilson, from the committee on judiciary No. 1, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 1, to whom was referred House File No. 180, a bill for an act to legalize the action of the Consolidated Independent School District of Dow City, Crawford Co., Iowa,

in voting bonds at an election held the 30th day of April, 1917, and to legalize the bonds issued by said district under said election, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1 to whom was referred House File No. 26, a bill for an act to amend Section Twenty-three hundred and fifty-five (2355) of the Code of Iowa in relation to partition fences beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1 to whom was referred House File No. 141, a bill for an act to amend the law as it appears in sections 2360, 2362, 2363, 2369, and 2370 of the code relating to partition fences, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1 to whom was referred Senate File No. 197, a bill for an act to repeal Section 5028-u, Section 5028-v, and Section 5028-w of the Supplemental Supplement to the code, 1915, relating to accepting or soliciting gratuity or tip, 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.

By inserting in the title after the word "soliciting" in the last line thereof the words "giving or offering" and by striking out the period at the end of the title and adding thereto "or permitting violation of the anti-tipping law."

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1 to whom was referred Senate File No. 104, a bill for an act to amend section forty-three hundred eighty-

five (4385) and section forty-three hundred eighty-six (4386) of the code, relative to arbitration and providing that in civil actions where the amount in controversy does not exceed five hundred dollars (\$500.), such controversies must be arbitrated, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. M. WILSON, *Chairman.*

On motion of Senator Wilson the report was adopted and the bill indefinitely postponed.

Senator Proudfoot, from the committee on judiciary No. 2, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 2, to whom was referred Senate File No. 57, a bill for an act to repeal Section 3203 of the Code, and to enact a substitute therefor relating to the probate and contest of wills, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 90, a bill for an act to amend Section 3284 of the 1913 Supplement to the Code of 1897 relating to notice of hearing provided for the probating of wills, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred House File No. 68, a bill for an act providing for the examination and certification of shorthand reporters of the District, Superior and Municipal Courts, and creating a Board of Examiners therefor, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report was adopted and the bill indefinitely postponed.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred House File No. 110, a bill for an act to amend section ten (10) of Chapter two hundred ninety (290) of the acts of the Thirty-seventh (37) General Assembly, and appropriating money for the expenditures of the State Board for vocational education, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman*.

On motion of Senator Newberry, the bill was referred to committee on appropriations.

Also:

Your committee on public schools, to whom was referred Senate File No. 177, a bill for an act to amend section ten (10) of Chapter Two hundred ninety (290) of the Acts of the Thirty-seventh (37) General Assembly and appropriating money for the expenditures of the State Board for vocational education, beg leave to report they have had the same under consideration and recommend that House File 110 be substituted for Senate File 177 and that the substituted bill be recommended for passage.

BYRON W. NEWBERRY, *Chairman*.

On motion of Senator Newberry, the bill was referred to committee on appropriations.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 13, a bill for an act to repeal Section five (5) of Chapter Five (5) of the Acts of the Thirty-seventh General Assembly and to enact a substitute therefor, relating to the publication of the session laws.

EUGENE SCHAFFTER, *Chairman*.

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 13,

a bill for an act to repeal Section five (5) of Chapter Five (5) of the Acts of the Thirty-seventh General Assembly and to enact a substitute therefor, relating to the publication of the session laws.

EUGENE SCHAFFER,

*Chairman Senate Committee.*

WILL L. KING,

*Chairman House Committee.*

Adopted.

#### BILL SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate File No. 13.

On motion of Senator Foskett, Senate File No. 210 was referred to the committee on appropriations.

#### THIRD READING OF BILLS.

On motion of Senator Foskett, Senate File No. 142, a bill for an act to amend chapter four (4), title five (5) of the Code, relating to the power of cities and towns; and providing for the appointment of water works' trustees in cities and towns owning their own water works; and providing for the duties of such trustees, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Foskett offered the following amendment as a substitute for the committee amendments:

I move to amend Senate File No. 142 by striking out all after the enacting clause, and inserting in lieu thereof the following:

SECTION 1. That chapter five (5) of title five (5) of the code be, and the same is hereby amended by adding thereto the following:

The council of any city or town, other than cities of the first class and special charter cities, which owns or may hereafter acquire waterworks, heating plant, gas works, or electric light or electric power plant, may, and upon petition of twenty-five (25) qualified electors of such city or town shall, at any general election, or at a special election called for that purpose, submit the question as to whether the management and control of such waterworks, heating plant, gas works, or electric light or electric power plant shall be placed in the hands of a board of trustees.

SEC. 2. Notice of such election shall be given by publication in one newspaper published in said city or town once each week, for not less than three consecutive weeks, and the election shall be held not less than seven, nor more than ten days after the completion of such publication. If no newspaper is published in such city or town, notice may be given by posting notices for three weeks in five public places in such city or town. The question to be submitted shall be in the following form:

Shall the city (or town) of.....place the management and control of its waterworks (or heating plant, or gas works, or electric light or electric power plant) in the hands of a board of trustees?

SEC. 3. If a majority of the votes cast at such election are in favor of placing the management and control of any or all of the said utilities in the hands of trustees, the mayor of such city or town shall, within ten days after the election hereinbefore provided, appoint a board of three (3) trustees which appointments shall be approved and confirmed by the city council. The first appointees thereto shall hold office for the following designated terms, namely, one for two years, one for four years, and one for six years, and their successors shall be appointed for a term of six years. All vacancies occurring on said board, occasioned by expiration of terms, by death, resignation or removal, shall be filled by appointment of the mayor of such city, which appointment shall be approved and confirmed by the city council. The compensation of said trustees shall be one hundred dollars (\$100.00) per year to each member of said board. Each of the said trustees shall execute and furnish to the city official bond in the sum of five thousand dollars (\$5000.00), to be approved by the mayor and filed with the city clerk. Such trustees may be removed from office for proper cause under the provisions of chapter eight (8) of title six (6) of the code.

SEC. 4. The said board of trustees shall have all the power and authority in the management and control of the utilities mentioned in the question submitted to the voters at such election as is conferred upon waterworks trustees appointed as provided in section seven hundred forty-seven-a (747-a) supplement to the code, 1913.

SEC. 5. 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 the Des Moines Capital, both newspapers published in Des Moines, Iowa.

Senator Van Alstine offered the following amendment to the amendment, and moved its adoption:

I move to amend the pending amendment by inserting in section 3, line 17, following the word "shall" the words "if required by the city council."

The amendment was lost.

Senator Evans offered the following amendment to the amendment and moved its adoption:

I move that the words and figures "five thousand dollars (\$5,000.00)" in lines 18 and 19 of section 3 of the pending amendment be stricken out and the words and figures "twenty-five hundred (\$2500.00)", be substituted in lieu thereof.

The amendment to the amendment was adopted.

Senator Whitmore called up the following amendment filed by him and moved that it be adopted as section 5 of the proposed amendment and that section 5 now in the amendment be renumbered as section 6.

SEC. 5. The provisions of this act shall be applicable to cities operated under the commission plan and having a population of less than thirty-five thousand, as to heating plants, water works, gas works, or electric light or electric power plants owned by such cities. The compensation of said trustees shall be three hundred dollars per year to each member of said board.

The motion prevailed and the amendment was adopted.

The amendment offered by Senator Foskett as amended, was adopted.

Senator Foskett 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 vote was:

Ayes, 46.

Adams	Hale	Rainbow
Anderson	Haskell	Ratcliff
Arney	Hoidoegel	Reed
Balkema	Horchem	Rule
Ball	Kimball	Schaffter
Brookhart	Kimberly	Scott
Broxam	Kingland	Shane
Buser	LeCompte	Stephenson
Byington	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Nelson	Thompson
Evans	Newberry	Van Alstine
Fellows	Parker	White
Foskett	Pitt	Whitmore
Frailey	Proudfoot	Wilson
Greenell		

Nays, none.



Absent or not voting, 4.

Cessna  
Foster

Price

Smith

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Foskett offered the following amendment to the title and moved its adoption:

I move to amend the title to Senate File No. 142 as follows:

By striking out the words and figures "four (4)" in line two (2) of the title and inserting in lieu thereof the words and figures "five (5)".

By striking out the word "waterworks" in line four (4) of the title.

By inserting after word "works" in line five (5) of the title a comma "," and the words "heating plant, gas works, or electric light or electric power plant", and by adding at the end of the title the following: "and fixing their compensation."

The amendment was adopted and the title as amended was agreed to.

#### SPECIAL ORDER.

On motion of Senator Balkema, Senate File No. 139, was made special order for Wednesday at 10:30 a. m.

#### THIRD READING OF BILLS.

On motion of Senator Holdoegel, Senate File No. 154, a bill for an act to provide training in teaching service for the Iowa State Teachers College, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schaffter offered the following amendment and moved its adoption:

I move to amend the bill by striking out of line 4 of section one the words "or for the service of" and inserting in lieu thereof the words "and for". Also by inserting a comma after the word "state" in line 5 of section one.

The amendment was adopted.

Senator Kingland moved the previous question, which motion prevailed.

Senator Holdoegel 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 vote was:

Ayes, 28.

Adams	Kimball	Ratcliff
Arney	Kingland	Rule
Balkema	LeCompte	Schaffter
Brookhart	Mitchell	Shane
Broxam	Nelson	Stoddard
Byington	Newberry	Taylor
Frailey	Parker	White
Haskell	Proudfoot	Whitmore
Holdoegel	Rainbow	Wilson
Horchem		

Nays, 14.

Anderson	Edwards	Meredith
Ball	Evans	Reed
Buser	Fellows	Scott
Cessna	Foskett	Stephenson
Coburn	Hale	

Absent or not voting, 8.

Foster	Price	Thompson
Kimberly	Greenell	Van Alstine
Pitt	Smith	

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Wilson offered the following amendment to the title and moved its adoption:

I move to amend the title by adding thereto the following: "and to furnish instruction to pupils of school districts under contract between the Board of Directors and the State Board of Education."

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Anderson, Senate File No. 163, a bill for an act to amend the law as it appears in Section twenty-nine hundred-b (2900-b) supplemental supplement to the code, 1915, per-

mitting the carrying out of the recommendations embodied in the report of the state highway commission as to certain lakes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Anderson 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 vote was:

Ayes, 40.

Adams	Greenell	Ratcliff
Anderson	Hale	Reed
Arney	Haskeil	Rule
Balkema	Holdoegel	Schaffter
Ball	Horchem	Scott
Brookhart	Kimball	Shane
Byington	Kimberly	Stephenson
Cessna	Kingland	Stoddard
Coburn	Mitchell	Taylor
Edwards	Nelson	Van Alstine
Evans	Newberry	White
Fellows	Parker	Whitmore
Foskett	Proudfoot	Wilson
Fralley		

Nays, 4.

Broxam	Rainbow	Thompson
Buser		

Absent or not voting, 6.

Poster	Meredith	Price
LeCompte	Pitt	Smith

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 Stoddard, Senate File No. 174, a bill for an act to amend section eight hundred nine (809) of the code, relating to the putting in of waterworks connection before permanent improvement of the street, alley or public place where the same is located and the taxing of the cost of same to the property benefited if the property owner fails and neglects to put in the same and pay the cost thereof, with report of committee recommending

passage, was taken up, considered, and the report of the committee adopted.

President pro tempore Arney assumed the chair at 11:40.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend the bill by striking out the words "a city of the first class" in the 4th and 5th lines of Section 1 and substituting therefor the following: "any city which has a board of waterworks trustees."

The amendment was adopted.

Senator Stoddard 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 vote was:

Ayes, 44.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Broxam	Kimberly	Shane
Buser	Kingland	Stephenson
Byington	LeCompte	Stoddard
Cessna	Meredith	Taylor
Coburn	Mitchell	Van Alstine
Edwards	Newberry	White
Evans	Parker	Whitmore
Fellows	Pitt	Wilson
Foskett	Proudfoot	

Nays, none.

Absent or not voting, 6.

Foster	Nelson	Smith
Frailey	Price	Thompson

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 Hale, House File No. 44, a bill for an act to repeal section fifty-seven hundred eighteen-a4 (5718-a4) of the supplement to the code, 1913, and to enact a substitute therefor, relating to the reformatory at Anamosa, Iowa, with report of

committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 44.

Adams	Greenell	Ratcliff
Anderson	Hale	Reed
Arney	Haskell	Rule
Balkema	Kimball	Schaffter
Ball	Kimberly	Scott
Brookhart	Kingland	Shane
Broxam	LeCompte	Smith
Buaser	Meredith	Stephenson
Byington	Mitchell	Stoddard
Cessna	Nelson	Taylor
Coburn	Newberry	Van Alstine
Edwards	Parker	White
Evans	Pitt	Whitmore
Fellows	Proudfoot	Wilson
Foskett	Rainbow	

Nays, none.

Absent or not voting, 6.

Foster	Hoidoegel	Price
Fralley	Horchem	Thompson

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

Senator Hale called up Senate File No. 32 and moved that the Senate concur in the following House amendments:

Amend Section One (1) as follows:

After the word "quarry" in the fourth line insert the words "site and roadway or roadways thereto".

Strike out the word "meets" in the seventh (7) line and substitute the word "metes" therefor.

Add after the word "quarry" in the eighth (8) line the words "site and roadway or roadways thereto."

On the question, "Shall the Senate concur in the House amendments?" the vote was:

Ayes, 41.

Adams	Greenell	Ratcliff
Anderson	Hale	Reed
Arney	Kimball	Rule
Balkema	Kimberly	Schaffter
Ball	Kingland	Scott
Brookhart	LeCompte	Shane
Broxam	Meredith	Smith
Buser	Mitchell	Stephenson
Byington	Nelson	Taylor
Cessna	Newberry	Van Alstine
Edwards	Parker	White
Evans	Pitt	Whitmore
Fellows	Proudfoot	Wilson
Foskett	Rainbow	

Nays, none.

Absent or not voting, 9.

Coburn	Haskell	Price
Foster	Holdoegel	Stoddard
Frailey	Horchem	Thompson

The House amendments having received a constitutional majority were declared to have been concurred in.

#### AMENDMENTS FILED.

Senator Brookhart filed the following amendment and asked that it be printed in the journal:

MR. PRESIDENT—I move to amend Senate File No. 220, a substitute for Senate File No. 75, as follows:

SECTION 1. By adding at the end of section three the following: "Any person, firm or corporation conducting a place for the sale of cigarettes as provided in this act, who shall have been found guilty of violating any of the provisions of this act, or any person conducting a place for the sale of cigarettes without the license provided in this act, shall be deemed guilty of keeping and maintaining a nuisance, and the place so kept and maintained shall be subject to the provisions for injunction as provided in section four thousand nine hundred forty-four-h two (4944-h2), supplemental supplement to the code, 1915, and shall be subject to all the penalties and procedure as provided in sections four thousand nine hundred forty-four-h three (4944-h3), four thousand nine hundred forty-four-h four (4944-h4), four thousand nine hundred forty-four-h five (4944-h5), and four thousand nine hundred forty-four-h six (4944-h6) and four thousand nine hundred forty-four-h seven (4944-h7), supplemental supplement to the code, 1915.

SEC. 2. "Whenever a permanent injunction issues against any person for maintaining a nuisance as herein defined, or against any owner or agent of the building kept or used for the purpose prohibited by this act, there shall be imposed upon said building and the ground upon which the same is located and against the person or persons maintaining said nuisance, and the owner or agent of said premises, a tax of three hundred dollars. The imposing of said tax shall be made by the court as a part of the proceeding, and the clerk of said court shall make and certify a return of the imposition of said tax forthwith to the county auditor, who shall enter the same as a tax upon the property and against the persons upon which or whom the lien was imposed as and when other taxes are entered, and the same shall be and remain a lien on the land upon which lien was imposed until fully paid; provided that any such lien imposed while the tax books are in the hands of the auditor shall be immediately entered therein. The payment of said tax shall not relieve the persons or property from any other penalties provided by law. The provisions of the law relating to the collection of taxes in this state, the delinquency thereof and the sale of property for taxes shall govern in the collection of the tax herein prescribed in so far as the same are applicable, and the said tax collected shall be applied in payment of any deficiency in the cost of the action and abatement on behalf of the state to the extent of such deficiency after the application thereto of the proceeds of the sale of personal property as hereinbefore provided, and the remainder of said tax together with the unexpended portion of the proceeds of the sale of personal property shall be distributed in the same manner as fines collected for the keeping of houses of ill fame, excepting that ten per cent of the amount of the whole tax collected and of the whole proceeds of the sale of said personal property as provided in this act shall be paid by the treasurer to the attorney representing the state in the injunction action, at the time of final judgment."

SEC. 3. "When such nuisance has been found to exist under any proceeding in the district court or as in this act provided, and the owner or agent of such building or ground whereon the same has been found to exist, was not a party to such proceeding, nor appeared therein, the said tax of three hundred dollars shall, nevertheless, be imposed against the persons served or appearing and against the property as in this act set forth. The person in whose name the real estate affected by the action stands on the books of the county auditor for the purpose of taxation shall be presumed to be the owner thereof, and in case of unknown parties having or claiming any ownership, right, title or interest in property affected by the action, such may be made parties to the action by designating them in the summons and complaint as 'all other persons unknown claiming any ownership, right, title or interest in the property affected by the action' and service thereon may be had by publishing such summons in the manner prescribed in section thirty-five hundred forty, supplement to the code, 1913. Any person having or claiming such ownership, right, title or interest, and any owner or agent in behalf of himself and such owner may make, serve and file his answer therein within twenty days after such services and have trial of his rights in the premises by

the court; and if said cause has already proceeded to trial or to findings and judgment, the court shall by order fix the time and place of such trial and shall modify, add to or confirm such findings and judgment as the case may require. Other parties to said action shall not be affected thereby."

Senator Balkema filed the following amendment and asked that it be printed in the journal:

I move to amend Senate File No. 139 by striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Sections four hundred forty-four (444) and four hundred forty-five (445) of the Code are hereby repealed.

SEC. 2. Section two thousand three hundred fourteen (2314) of the Code is hereby repealed, and the following enacted in lieu thereof:

"All animals shall be restrained from running at large. Such animals, when trespassing on land, or road adjoining thereto, may be distrained by the owner of such land or by any person who has been damaged by reason of such animal or animals running at large, and held for damages done by them, and for the costs provided for in this chapter; but animals shall not be considered as running at large so long as they are upon unimproved lands and under the immediate care and efficient control of the owner, or upon the public roads between the hours of sunrise and sunset under the care and efficient control of some person, or for the purpose of travel or driving thereon under like care and control. The owner of an animal who permits the same to run at large in violation of this section shall be guilty of a misdemeanor. But where a partition fence is required by law to be erected or maintained, animals escaping across such partition line shall be dealt with as provided in the preceding section.

SEC. 3. That section two thousand three hundred eleven (2311) of the Code be amended by striking from lines six and seven of said section, the words "all animals which may be distrained under this chapter" and inserting in lieu thereof the following: "cattle, horses, mules, asses, swine, sheep and goats."

Amend the title by striking out the period at the end thereof and inserting in lieu thereof a semi-colon and adding thereafter the following: "Also amend section two thousand three hundred eleven (2311) defining the term "animals"."

#### HOUSE AMENDMENTS TO SENATE FILE NO. 91.

Amend by striking out all after the enacting clause and substituting in lieu thereof, the following:

SECTION 1. That section six hundred eighty-one (681), of the code, be and the same is hereby amended by adding thereto the following: "when a city or town shall make complete revision of the ordinances of said



city or town by rearrangement and grouping of the same under appropriate titles, parts, chapters and sections, the enactment of said revision of ordinances as so rearranged and grouped shall be considered a sufficient compliance with the provisions of this section.

Ordered printed in the journal.

#### MOTIONS TO RECONSIDER FILED.

I move that the rules be suspended and that the vote by which the report of the Committee on Cities and Towns was adopted, indefinitely postponing House File No. 134, by Williams be reconsidered.

J. R. FRAILEY.

I move to reconsider the vote by which House File No. 68, by Williams, was indefinitely postponed and the report of the committee was adopted.

CLEM F. KIMBALL.

On motion of Senator Wilson Senate adjourned until 9:00 a. m. Wednesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 19, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. F. M. Tandy of Mason City.

## PETITIONS AND MEMORIALS.

Senator Wilson presented a petition of citizens of Appanoose county favoring a liberal appropriation for state agents.

Referred to committee on appropriations.

Senator Evans presented a petition of the St. Peter's Lutheran Congregational Church of Denver relative to teaching foreign languages in the lower grades.

Referred to committee on schools.

Senator Byington presented a petition of the M. E. church, Iowa City, relative to the observance of the Sabbath day.

Referred to committee on judiciary No. 1.

Senator Greenell presented a petition of the Clinton County Automobile Dealers Association favoring a lien on automobiles left with garages and method of enforcing same.

Referred to committee on judiciary No. 2.

Senator Parker presented a petition of citizens of Polk county favoring passage of the cigarette bill.

Referred to committee on public health.

Senator Parker presented a remonstrance of citizens of Des Moines against the passage of the cigarette bill.

Referred to committee on public health.

## LEAVE OF ABSENCE.

On request of Senator Balkema leave of absence was granted Senator Foster for the day on account of illness.

## INTRODUCTION OF BILLS.

By Senator Byington, by request, Senate File No. 249, a bill for an act to amend Chapter Five (5) Title Sixteen (16) of the Code relating to the guardianship of persons and property.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Balkema, Senate File No. 250, a bill for an act to amend the law as it appears in section two thousand five hundred twenty-seven-1 (2527-1) Supplement to the Code, 1913, relating to sanitation in food producing establishments and the licensing thereof.

Read first and second time and referred to committee on dairy and food.

By Senator Parker, Senate File No. 251, a bill for an act to repeal the law as it appears in Section five thousand two hundred fifty-six (5256) of the Supplement to the Code, 1913, and to enact a substitute therefor, relating to the appointment of clerks of the grand jury, and fixing salary thereof.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Parker, Senate File No. 252, a bill for an act amending Title Eight (8), Chapter One (1), of the Code, as amended, relating to the establishment, alteration and vacation of roads.

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

## BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 18th day of February, 1919, sent to the governor for

his approval Senate File No. 13, a bill for an act to repeal Section five (5) of Chapter Five (5) of the Acts of the Thirty-seventh General Assembly and to enact a substitute therefor relating to the publication of the session laws.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### HOUSE AMENDMENTS CONCURRED IN.

Senator Schaffter called up Senate File No. 91, amended by the House as follows:

Amend by striking out all after the enacting clause and substituting in lieu thereof, the following:

SECTION 1. That section six hundred eighty-one (681), of the Code be and the same is hereby amended by adding thereto the following: "When a city or town shall make complete revision of the ordinances of said city or town by rearrangement and grouping of the same under appropriate titles, parts, chapters and sections, the enactment of said revision of ordinances as so rearranged and grouped shall be considered a sufficient compliance with the provisions of this section."

Senator Schaffter moved that the Senate concur in the House amendments.

On the question, "Shall the Senate concur?" the vote was:  
Ayes, 33.

Adams	Foskett	Rainbow
Anderson	Greenell	Ratcliff
Arney	Hale	Reed
Balkema	Haskell	Rule
Ball	Holdoegel	Schaffter
Brookhart	Horchem	Scott
Buser	Kingland	Stoddard
Byington	Meredith	Van Alstine
Edwards	Newberry	White
Evans	Parker	Whitmore
Fellows	Proudfoot	Wilson

Nays, none.

Absent or not voting, 17.

Broxam	Kimberly	Shane
Cessna	LeCompte	Smith
Coburn	Mitchell	Stephenson
Foster	Nelson	Taylor
Fralley	Pitt	Thompson
Kimball	Price	

\* The House amendment having received a constitutional ma

majority was declared to have been concurred in by the Senate.

On motion of Senator Evans, rule 33 was suspended for the day.

#### REPORTS OF COMMITTEES.

Senator Foskett, from the committee on appropriations, submitted the following report:

MR. PRESIDENT—Your committee on appropriations, to whom was referred House File No. 122, a bill for an act to amend chapter 231, acts of the thirty-seventh (37) General Assembly, by increasing the appropriation from twenty-five thousand dollars (\$25,000.00) to seventy-five thousand dollars (\$75,000.00), beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 210, a bill for an act creating a commission to edit and codify the laws of the state, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 115, a bill for an act to repeal the law as it appears in section 5716 of the supplemental supplement to the code of Iowa, 1915, and to enact a substitute therefor, providing for the compensation and allowances of officers and employees of the Reformatory at Anamosa, Iowa, and the Penitentiary at Fort Madison, Iowa, 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.

Amend by striking out in line fourteen (14) of said bill the words and figures "One Hundred Ten (\$110.00)" and substituting in lieu thereof the words and figures "One Hundred Twenty-five (\$125.00)".

Also amend as recommended by the Committee on Board of Control,

Also amend by adding to the bill as section two, the following:

"SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Register and the Des Moines Capital, both newspapers published in Des Moines, Iowa."

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 221, a bill for an act to amend section 253, supplemental supplement to the code, 1915, relating to the salary of Judges of the District Court and expenses, beg leave to report they have had the same under consideration and recommend that the attached committee bill be substituted therefor.

H. I. FOSKETT, *Chairman.*

#### INTRODUCTION OF BILLS.

By committee on appropriations, Senate File No. 253, a bill for an act to amend section two hundred fifty-three (253), supplemental supplement to the code, 1915, relating to the salary of judges of the District Court and expenses.

Read first and second time and passed on file

#### REPORTS OF COMMITTEES.

Senator Wilson, from the committee on judiciary No. 1, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 1, to whom was referred Senate File No. 135, 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 action or proceeding, or the agent or employee of said party or one in privity with such party, or a person for whose benefit an action or proceeding is prosecuted or defended, or directors, etc., beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. M. WILSON, *Chairman.*

Senator Haskell moved the previous question, which motion prevailed.

Senator Wilson raised the point of order that no closing remarks were proper on the proposition to indefinitely postpone the bill.

The president held the point of order well taken.

Senator Kingland asked for a roll call.

On the question, "Shall the report of the committee be adopted and the bill be indefinitely postponed?" the vote was:

## Ayes, 16.

Brookhart  
Broxam  
Foskett  
Frailey  
Greenell  
Kimberly

Mitchell  
Parker  
Pitt  
Proudfoot  
Ratcliff  
Schaffter

Shane  
Thompson  
White  
Wilson

## Nays, 25.

Adams  
Anderson  
Arney  
Ball  
Buser  
Cessna  
Coburn  
Edwards  
Evans

Fellows  
Hale  
Haskell  
Holdoegel  
Kingland  
Meredith  
Nelson  
Newberry

Rainbow  
Reed  
Rule  
Smith  
Stephenson  
Stoddard  
Taylor  
Whitmore

## Absent or not voting, 9.

Balkema  
Byington  
Foster

Horchem  
Kimball  
LeCompte

Price  
Scott  
Van Alstine

The report of the committee was rejected and the bill ordered on the calendar.

Senator Hale, from the committee on board of control, submitted the following report:

MR. PRESIDENT—Your committee on board of control, to whom was referred Senate File No. 71, a bill for an act to repeal Section 2310-a6 of the Supplement to the Code, 1913, and to enact a substitute therefor and to change the name of the state hospital for inebriates and to provide for the use thereof; and to amend section 2310-s7 of the Supplement to the Code, 1913, and fix the salary, etc., 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 out for passage.

J. K. HALE, *Chairman.*

The report was adopted and the bill referred to the committee on appropriations.

## Also:

Your committee on board of control, to whom was referred Senate File No. 160, a bill for an act amending Section 2727-3a Supplemental Supplement to the Code of Iowa, 1915, relative to the salary of the chief executive officer of the Institution for Feeble Minded Children at Glenwood,

beg leave to report they have had the same under consideration and recommend the same be referred to the appropriation committee with the recommendation that same be reported out for passage.

J. K. HALE, *Chairman.*

The report was adopted and the bill referred to the committee on appropriations.

Senator Ratcliff, from the committee on conservation, submitted the following report:

MR. PRESIDENT—Your committee on conservation, to whom was referred House File No. 47, a bill for an act to amend sections five (5) and six (6) of chapter three hundred forty-four (344) of the acts of the thirty-seventh general assembly relating to the establishment of drainage districts, 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:

By striking from the title the words "of the" following the figures (344) in the second line of the said title, and inserting a comma in lieu thereof. Also by striking out the words "of the" following the figures (344) in the second line of Section 1, and inserting a comma in lieu thereof. Also by striking out the word "thirty" in the sixth line of Section one, and inserting the word "twenty" in lieu thereof. Also by striking out the word "thirty" in the sixth line of Section two and inserting the word "twenty" in lieu thereof.

W. C. RATCLIFF, *Chairman.*

Ordered passed on file.

Also:

Your committee on conservation, to whom was referred House File No. 130, a bill for an act to amend Section 850-p of the Supplementary Supplement to the Code, 1915, extending the time for making tax levy for park purposes, etc., 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:

By striking out the words "of the" in line two of the title, and by striking out the period and comma after the word "same" in the last line of the title. Also by striking out the words "of the" in line two of Section 1 of the bill and by striking out the star after the letter "p" in the parenthesis at the beginning of line two of section 1.

W. C. RATCLIFF, *Chairman.*

Ordered passed on file.

Senator Shane, 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. 8, a bill for an act to amend section fifty-seven hundred eighteen-a-twenty (5718-a20) Supplement to the Code, 1913, relating to the discharge of paroled prisoners, beg leave to report they have had the same under consideration and recommend the same do pass.

F. E. SHANE, *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 concurred in the Senate amendment to House Files Nos. 27, 36 and 77, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relating to child labor.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked.

House File No. 88, a bill for an act conferring upon cities and towns the authority to adopt a budget system.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 state aid granted county and district fairs or agricultural societies.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked.

House File No. 111, a bill for an act relating to high school tuition of non-resident pupils in approved schools.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 requiring the teaching of a course of study in citizenship and patriotism in private and public schools.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked.

House File No. 204, a bill for an act to legalize articles of adoption executed by the Hillcrest Deaconess House and Baby Fold located at Du-buque.

W. C. RAMSAY, *Chief Clerk.*

Also:

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 relating to purchase of suitable chairs for committee clerks.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 26, a bill for an act relating to distances witnesses may be compelled to travel upon subpoena from district and superior courts.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE AMENDMENT.

Amend Senate File No. 26 by adding at the end of the fifth line of said bill the following:

And by striking out the period following the word "county" in the fifth line of said section 4660 and substituting in lieu thereof the following:

" , provided that t e court or judge, for good cause shown, may, upon deposit with the clerk of the court of sufficient money to pay the legal fees and mileage of a witness, order a subpoena to issue requiring the attendance of such witness from a greater distance within the state. Such subpoena shall show that it is issued under the provisions hereof."

## HOUSE MESSAGES CONSIDERED.

House File No. 11, a bill for an act to repeal Section Two Thousand and Four Hundred Seventy-seven-c (2477-c), Supplemental Supplement to the Code, and to enact a substitute therefor, relating to the hours that child labor may be employed in the State of Iowa.

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

House File No. 88, a bill for an act conferring upon cities and towns the authority to adopt a budget system.

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

House File No. 29, a bill for an act to repeal the law as it appears in section sixteen hundred fifty-eight (1658) and sixteen hundred fifty-nine (1659), supplement to the code, 1913, and section sixteen hundred sixty-one-a (1661-a), supplemental supplement to the code, 1915, and to enact a substitute therefor, relating to state aid granted county and district fairs or agricultural societies.

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

House File No. 111, a bill for an act to amend the law as it appears in section one (1), chapter one hundred fifty-six (156), of the acts of the Thirty-seventh General Assembly relating to high school tuition of non-resident pupils in approved schools.

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

House File No. 85, a bill for an act requiring the teaching of a course of study in citizenship and patriotism in the public and private schools located within the state of Iowa, and providing for an outline of such course.

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

House File No. 204, a bill for an act to legalize articles of adoption executed by the Hillcrest Deaconess Home and Baby Fold,

located at Dubuque, Iowa, and to legalize the proceedings of said institution relative to the adoption of minors.

Read first and second time and referred to committee on judiciary No. 2.

#### CORRECTION OF JOURNAL.

The journal of February 18th was corrected and approved.

#### MOTION TO RECONSIDER CALLED UP.

Senator Kimball called up the motion filed by Senator Frailey to reconsider the vote by which the report of the committee on cities and towns was adopted, indefinitely postponing House File No. 134 by Williams.

Senator Frailey moved that the rule, be suspended under which a motion to reconsider must be filed on the same or next legislative day following the action sought to be reconsidered.

On the question, "Shall the rule be suspended?" the vote was:

Ayes, 33.

Adams	Greenell	Prudfoot
Anderson	Hale	Rainbow
Arney	Haskell	Ratcliff
Ball	Horchem	Reed
Brookhart	Kimball	Rule
Broxam	Kimberly	Schaffter
Buser	Kingland	Shane
Byington	LeCompte	Stoddard
Edwards	Mitchell	Taylor
Evans	Nelson	Van Alstine
Fellows	Newberry	White

Nays, 1.

Whitmore

Absent or not voting, 16.

Balkema	Holdoegel	Scott
Cessna	Meredith	Smith
Coburn	Parker	Stephenson
Foskett	Pitt	Thompson
Foster	Price	Wilson
Frailey		

The motion to suspend having received a two-thirds majority of all votes cast, the rule was declared to have been suspended.

Senator Kimball moved that the House be requested to return to the Senate House (File No. 134).

Motion prevailed.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—The House herewith returns as requested House File No. 134, a bill for an act relating to the double platoon system for members of the fire department.

W. C. RAMSAY, *Chief Clerk.*

Senator Kimball moved that House File No. 134 be re-referred to committee on cities and towns.

The motion prevailed.

#### COMMITTEE ON CHAIRS.

The president appointed as committee on the purchase of clerks chairs, on the part of the Senate, Senators Ball and Brookhart.

#### THIRD READING OF BILLS.

On motion of Senator Balkema, Senate File No. 139, a bill for an act to repeal sections four hundred forty-four (444) and four hundred forty-five (445) of the Code, 1897, relating to stock running at large: Also to repeal section two thousand three hundred fourteen (2314) of the Code, 1897, relating to stock running at large, to enact a substitute for said latter section and to provide a penalty for the violation of such substituted section, was taken up and considered, the report of the committee having been adopted.

Senator Balkema offered the following amendments and moved their adoption:

I move to amend Senate File No. 139 by striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Sections four hundred forty-four (444) and four hundred forty-five (445) of the Code are hereby repealed.

SEC. 2. Section two thousand three hundred fourteen (2314) of the Code is hereby repealed, and the following enacted in lieu thereof:

"All animals shall be restrained from running at large. Such animals, when trespassing on land, or road adjoining thereto, may be distrained by the owner of such land or by any person who has been damaged by reason

of such animal or animals running at large, and held for damages done by them, and for the costs provided for in this chapter; but animals shall not be considered as running at large so long as they are upon unimproved lands and under the immediate care and efficient control of the owner, or upon the public roads between the hours of sunrise and sunset under the care and efficient control of some person, or for the purpose of travel or driving thereon under like care and control. The owner of an animal who permits the same to run at large in violation of this section shall be guilty of a misdemeanor. But where a partition fence is required by law to be erected or maintained, animals escaping across such partition line shall be dealt with as provided in the preceding section.

SEC. 3. That section two thousand three hundred eleven (2311) of the Code be amended by striking from lines six and seven of said section, the words "all animals which may be distrained under this chapter" and inserting in lieu thereof the following: "cattle, horses, mules, asses, swine, sheep and goats."

Amend the title by striking out the period at the end thereof and inserting in lieu thereof a semi-colon and adding thereafter the following: "Also amend section two thousand three hundred eleven (2311) defining the term "animals"."

The amendments were adopted.

Senator Balkema 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 vote was:

Ayes, 32.

Adams	Foskett	Ratcliff
Anderson	Hale	Reed
Arney	Haskell	Smith
Balkema	Hoidoegel	Stephenson
Brookhart	Horchem	Stoddord
Broxam	Kimball	Thompson
Byington	Kimberly	Van Alstine
Coburn	LeCompte	White
Edwards	Nelson	Whitmore
Evans	Parker	Wilson
Fellows	Proudfoot	

Nays, 12.

Baaj	Kingland	Rainbow
Buser	Meredith	Rule
Frailey	Mitchell	Schaffter
Greenell	Pitt	Taylor

Absent or not voting, 6.

Cessna  
Foster

Newberry  
Price

Scott  
Shane

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

On motion of Senator Rule, Senate File No. 220, a bill for an act repealing the law as it appears in sections 5006 and 5007 of the Code and section 5007-c supplement to the code of 1913, and to enact substitutes therefor; prohibiting the furnishing of cigarettes or cigarette papers to minors; providing a means of obtaining evidence of a violation thereof, and providing a penalty therefor, and prohibiting the use of cigarettes or tobacco in any form by minors, and providing a penalty therefor. Providing for the regulation and licensing of persons engaged in the selling of cigarettes and cigarette papers, and providing a penalty for selling cigarettes or cigarette papers without such license, and fixing a penalty therefor, and providing that any building, erection, or place made use of for the sale of cigarettes or cigarette papers in violation of the provisions of this act shall be deemed a nuisance and be abated by injunction, introduced by the committee on public health to take the place of Senate File No. 75, was taken up for consideration.

Senator Arney assumed the chair at 11:00 o'clock.

Senator Brookhart offered the following amendment and moved its adoption:

MR. PRESIDENT—I move to amend Senate File No. 220, a substitute for Senate File No. 75, as follows:

By adding at the end of section three the following: "Any person, firm or corporation conducting a place for the sale of cigarettes as provided in this act, who shall have been found guilty of violating any of the provisions of this act, or any person conducting a place for the sale of cigarettes without the license provided in this act, shall be deemed guilty of keeping and maintaining a nuisance, and the place so kept and maintained shall be subject to the provisions for injunction as provided in section four thousand nine hundred forty-four-h two (4944-h2), supplemental supplement to the code, 1915, and shall be subject to all the penalties and procedure as provided in sections four thousand nine hundred forty-four-h three (4944-h3), four thousand nine hundred forty-four-h four (4944-h4), four thousand nine hundred forty-four-h five (4944-h5), and four thousand nine hundred forty-four-h six (4944-h6) and four thousand nine

hundred forty-four-h seven (4944-h7), supplemental supplement to the code, 1915.

"Whenever a permanent injunction issues against any person for maintaining a nuisance as herein defined, or against any owner or agent of the building kept or used for the purpose prohibited by this act, there shall be imposed upon said building and the ground upon which the same is located and against the person or persons maintaining said nuisance, and the owner or agent of said premises, a tax of three hundred dollars. The imposing of said tax shall be made by the court as a part of the proceeding, and the clerk of said court shall make and certify a return of the imposition of said tax forthwith to the county auditor, who shall enter the same as a tax upon the property and against the persons upon which or whom the lien was imposed as and when other taxes are entered, and the same shall be and remain a lien on the land upon which lien was imposed until fully paid; provided that any lien imposed while the tax books are in the hands of the auditor shall be immediately entered therein. The payment of said tax shall not relieve the persons or property from any other penalties provided by law. The provisions of the law relating to the collection of taxes in this state, the delinquency thereof and the sale of property for taxes shall govern in the collection of the tax herein prescribed in so far as the same are applicable, and the said tax collected shall be applied in payment of any deficiency in the cost of the action and abatement on behalf of the state to the extent of any such deficiency after the application thereto of the proceeds of the sale of personal property as hereinbefore provided, and the remainder of said tax together with the unexpended portion of the proceeds of the sale of personal property shall be distributed in the same manner as fines collected for the keeping of houses of ill fame, excepting that ten per cent of the amount of the whole tax collected and of the whole proceeds of the sale of said personal property as provided in this act shall be paid by the treasurer to the attorney representing the state in the injunction action, at the time of final judgment."

"When such nuisance has been found to exist under any proceeding in the district court or as in this act provided, and the owner or agent of such building or ground whereon the same has been found to exist, was not a party to such proceeding, nor appeared therein, the said tax of three hundred dollars shall, nevertheless, be imposed against the persons served or appearing and against the property as in this act set forth. The person in whose name the real estate affected by the action stands on the books of the county auditor for the purpose of taxation shall be presumed to be the owner thereof, and in case of unknown parties having or claiming any ownership, right, title or interest in property affected by the action, such may be made parties to the action by designating them in the summons and complaint as 'all other persons unknown claiming any ownership, right, title or interest in the property affected by the action' and service thereon may be had by publishing such summons in the manner prescribed in section thirty-five hundred forty, supplement to the code, 1913. Any person having or claiming such ownership, right, title or interest, and any owner or agent in behalf of himself and such owner may



make, serve and file his answer therein within twenty days after such services and have trial of his rights in the premises by the court; and if said cause has already proceeded to trial or to findings and judgment, the court shall by order fix the time and place of such trial and shall modify, add to or confirm such findings and judgment as the case may require. Other parties to said action shall not be affected thereby."

The amendment was adopted.

Senator Proudfoot offered the following amendment and moved its adoption:

MR. PRESIDENT—I move to amend the substitute bill by striking out all of Section one beginning with line 4 and inserting in lieu thereof the following:

"Any person who shall furnish to any minor by gift, sale or otherwise any cigarette or cigarette papers shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than three hundred dollars and be committed to the county jail until such fine is paid.

"Any minor, in any place other than upon the premises of his parent or parents, being in possession of a cigarette or cigarette paper may by any police officer, constable, juvenile court or truant officer be brought before a court or magistrate and be required to give information as to where he or she obtained such cigarette or cigarette paper."

President Moore resumed the chair at 11:40.

Senator Parker offered the following amendment to the amendment under consideration and moved its adoption:

MR. PRESIDENT—I move to amend the amendment offered by the senator from Warren by inserting the words "under 19 years of age" following the word "minor" in first line, and the words "under 19 years of age" following the word "minor" in 7th line thereof.

The amendment to the amendment was adopted.

The amendment offered by Senator Proudfoot was adopted as amended.

On motion of Senator Parker, Senate adjourned until 1:00 p. m. today.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

Senate resumed consideration of Senate File No. 220.

Senator Proudfoot offered the following amendment and moved its adoption:

I move to amend the printed bill (No. 220) by striking out all of section three of said printed bill beginning with line 4 thereof, and inserting in lieu of the part so stricken the following:

"Any minor, under the age of 19 years, in any place other than upon the premises of his parent or parents, being in possession of a cigarette or cigarette paper may by any police officer, constable, juvenile court or truant officer be brought before a court or magistrate and be required to give information as to where he or she obtained such cigarette or cigarette paper."

The amendment was adopted.

Senator Evans offered the following amendment and moved its adoption:

I move to amend Senate File No. 220 as follows:

By striking out the period (.) after the words "made" in the 8th line of section two thereof and adding the following:

"In cities of thirty-five thousand or over, and fifty dollars (\$50.00) in towns of five thousand and over, and twenty five dollars (\$25.00) in other towns and places."

The amendment was lost.

Senator Taylor offered the following amendment and moved its adoption:

I move to amend line 12 of Section 2 of Senate File No. 220 by striking out the period in line 12 of Section 2 following the word "month" and adding the words:

"and no license shall be issued until the applicant has filed with the commissioner an affidavit setting forth that he has not broken the Iowa anti-cigarette law during the preceding five years."

The amendment was lost.

Senator Wilson offered the following amendment and moved its adoption:

I move to amend Section 3 as substituted by the amendment of the senator from Warren by inserting after the words and figures "five thousand seven-c (5007-c)" the words and figures "and five thousand seven-d (5007-d)" in lines one and two of said section.

The amendment was adopted.

Senator Evans offered the following amendment and moved its adoption:

I move to strike out the words and figures "One hundred dollars (\$100.00)" in line seven of section 2 of Senate File 220 and substitute in lieu thereof the words and figures "fifty dollars (\$50.00)."

The amendment was lost.

Senator LeCompte offered the following amendment and moved its adoption:

I move to amend section 2 by striking out the words and figures "one hundred dollars (\$100)" in line 7 and inserting in lieu thereof the words and figures "two hundred dollars (\$200)".

The amendment was lost.

Senator Price moved the previous question which motion prevailed and the previous question was ordered.

Senator Rule 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 vote was:

Ayes, 34.

Adams	Haskell	Price
Anderson	Horchem	Rainbow
Arney	Kimberly	Reed
Ball	Kingland	Rule
Brookhart	LeCompte	Smith
Broxam	Meredith	Stephenson
Cessna	Mitchell	Stoddard
Coburn	Nelson	Thompson
Edwards	Newberry	Van Aistine
Fellows	Parker	White
Foskett	Pitt	Wilson
Frailey		

Nays, 13.

Buser	Kimball	Scott
Byington	Proudfoot	Shane
Evans	Ratcliff	Taylor
Hale	Schaffter	Whitmore
Holdoegel		

Absent or not voting, 3.

Balkema

Foster

Greenell

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Wilson offered the following amendment to the title and moved its adoption:

I move to amend the title by inserting after the figures 5007-c in the second line thereof the words and figures "and 5007-d" and by inserting after the word "minors" in the sixth line thereof the following: "under the age of nineteen years."

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Ratcliff, House File No. 62, a bill for an act providing that certified copies of public records be furnished free of charge to any soldier, sailor or marine, in service or honorably discharged, or any dependent of such soldier, sailor or marine, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Whitmore offered the following amendment and moved its adoption:

Amend by striking out the word "from" in line six (6) of Section one and inserting in lieu thereof the word "upon".

The amendment was adopted.

Senator Ratcliff 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 vote was:

Ayes, 48.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Brookhart  
Broxam  
Buser  
Byington

Cessna  
Coburn  
Edwards  
Evans  
Fellows  
Foskett  
Frailey  
Greenell  
Hale

Haskell  
Holdoegel  
Horchem  
Kimball  
Kimberly  
Kingland  
LeCompte  
Meredith  
Mitchell

Newberry	Reed	Stoddard
Parker	Rule	Taylor
Pitt	Schaffter	Thompson
Price	Scott	Van Alstine
Proudfoot	Shane	Whitmore
Rainbow	Smith	Wilson
Ratcliff	Stephenson	

Nays, none.

Absent or not voting, 2.

Foster	Nelson
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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. 70, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-b ten (1989-b10), supplemental supplement to the code, 1915, by changing the fund out of which the costs referred to in said section shall be paid, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 47.

Adams	Greenell	Proudfoot
Anderson	Hale	Rainbow
Arney	Haskell	Ratcliff
Balkema	Holdoegel	Reed
Ball	Horchem	Rule
Brookhart	Kimball	Schaffter
Broxam	Kimberly	Scott
Buser	Kingland	Shane
Byington	LeCompte	Stephenson
Cessna	Meredith	Stoddard
Coburn	Mitchell	Thompson
Edwards	Nelson	Van Alstine
Evans	Newberry	White
Fellows	Parker	Whitmore
Foskett	Pitt	Wilson
Fralley	Price	

Nays, none.

Absent or not voting, 3.

Foster

Smith

Taylor

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Wilson offered the following amendment to the title and moved its adoption:

Strike out that part of the title following the date "1915" in line 3 and insert in lieu thereof the following: "referring costs in cases of abandonment."

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Balkema, House File No. 71, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-b seven (1989-b7), supplemental supplement to the code, 1915, to provide for the issuance of ditch warrants in connection with the drainage of highways, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 46.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimberly	Scott
Broxam	Kingland	Shane
Buser	LeCompte	Smith
Byington	Meredith	Stephenson
Cessna	Mitchell	Stoddard
Coburn	Nelson	Thompson
Edwards	Newberry	Van Alstine
Evans	Parker	White
Fellows	Pitt	Whitmore
Foskett	Proudfoot	Wilson
Frailey		

Nays, none.

Absent or not voting, 4.

Foster  
Kimball

Price

Taylor

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 Schaffter, Senate File No. 25, a bill for an act amending section two thousand five hundred sixty-eight (2568) of the Code, relating to the local board of health in towns and cities, and making the health physician a member thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schaffter 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 vote was:

Ayes, 45.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Broxam	Kimberly	Shane
Buser	LeCompte	Smith
Byington	Meredith	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Nelson	Thompson
Evans	Newberry	Van Alstine
Fellows	Parker	White
Foskett	Pitt	Whitmore
Fralley	Proudfoot	Wilson

Nays, none.

Absent or not voting, 5.

Cessna  
Poster

Kingland  
Price

Taylor

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 Scott, Senate File No. 90, a bill for an act to amend section three thousand two hundred eighty four (3284) of the 1913 supplement to the code of 1897 relating to notice of

hearing provided for the probating of wills, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Scott offered the following amendment and moved its adoption:

Strike out the words and figures "of the 1913" preceding the word "Supplement" in line 2 of the title and also in line 2 of Section 1. Also strike out the word and figures "of 1897" in lines 2 and 3 of the title and also in lines 2 and 3 of Section 1 and insert in lieu thereof in each instance the figures "1913."

The amendment was adopted.

Senator Scott 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 vote was:

Ayes, 42.

Adams	Fralley	Proudfoot
Anderson	Greenell	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Reed
Ball	Holdoegel	Rule
Brookhart	Horchem	Schaffter
Broxam	Kimball	Scott
Buser	Kimberly	Stephenson
Cessna	Kingland	Stoddard
Coburn	Meredith	Thompson
Edwards	Mitchell	Van Alstine
Evans	Nelson	White
Fellows	Newberry	Whitmore
Foskett	Parker	Wilson

Nays, none.

Absent or not voting, 8.

Byington	Pitt	Smith
Foster	Price	Taylor
LeCompte	Shane	

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 Parker, Senate File No. 197, a bill for an act to repeal section five thousand twenty-eight-u (5028-u), sec-



tion five thousand twenty-eight-v (5028-v) and section five thousand twenty-eight-w (5028-w) of the supplemental supplement to the code, 1915, relating to accepting or soliciting gratuity or tip, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by inserting in the title after the word "soliciting" in the last line thereof the words "giving or offering" and by striking out the period at the end of the title and adding thereto "or permitting violation of the anti-tipping law."

Senator Whitmore offered the following amendment and moved its adoption:

I move to amend Senate File No. 197 by striking out the last line and inserting in lieu thereof the following:

"1915 be and the same is hereby amended by adding the following:

"Any person party to any contract or agreement for the dividing, subletting, assigning or farming out of tipping privileges shall be guilty of a misdemeanor."

Senator Parker raised the point of order that the proposed amendment was not germane to the bill. The president held the point of order well taken.

Senator Parker 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 vote was:

Ayes, 17.

Adams  
Anderson  
Coburn  
Fellows  
Foskett  
Fralley

Haskell  
Horchem  
Kimball  
LeCompte  
Meredith  
Parker

Reed  
Rule  
Schaffter  
White  
Wilson

## Nays, 27.

Arney	Hale	Ratcliff
Ball	Kimberly	Shane
Broxam	Kingland	Smith
Buser	Mitchell	Stephenson
Byington	Nelson	Stoddard
Cessna	Newberry	Taylor
Edwards	Pitt	Thompson
Evans	Proudfoot	Van Alstine
Greenell	Rainbow	Whitmore

Absent or not voting, 6.

Balkema	Foster	Price
Brookhart	Holdoegel	Scott

So the bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

## RESIGNATION OF COMMITTEE CLERK.

February 19, 1919.

I hereby tender my resignation as committee clerk in the Senate.

Mildred Anderson.

## REPORT OF COMMITTEE ON COMMITTEE CLERKS.

Mr. President: Your committee for examination of clerks, beg leave to report that they have examined and found proficient Carroll W. Boatwright, who has been assigned to Senator Holdoegel in place of Mildred Anderson, resigned.

We recommend that said Carroll W. Boatwright be employed.

EUGENE SCHAFFER, *Chairman.*

The report was adopted.

Carroll W. Boatwright appeared before the bar of the Senate and was duly sworn.

## AMENDMENTS TO SENATE FILE NO. 210.

Senator Whitmore filed the following amendments and asked that they be printed in the journal:

I move to amend Senate File No. 210 as follows.

1st. By striking out of the third and fourth lines of section 4 the words "but referring to all such repealed laws by section and reference to the session repealing same."

2nd. By inserting after the word "shall" in the ninth line of section 4 the words "renumber the sections and"

3rd. By inserting after the word "volume" in the tenth line of said section the words "a table of corresponding sections and"

4th. By adding at the end of section 4 the following: "In printing said code said commission shall print at the left of the sections a numbering of the lines of each section in the same style as in the printing of the session laws of the Thirty-seventh General Assembly."

5th. By inserting after the word "code" in the fourth line of section 5 the words "to all repealed laws by section and reference to the session repealing same and calling attention"

6th. By striking out the first line of section 8 and inserting in lieu thereof the following words "There shall be printed two thousand five hundred (2,500) copies of such code and one copy of such code and of such report, "and of such book of annotations shall be" .

7th. By adding to section 8 the following: "Said code shall be sold to the public at such price as the executive council may determine."

8th. And by inserting after the word "preserved" in the third line of section 7, the words "as the property of the state"

#### MOTION TO RECONSIDER.

I move a reconsideration of the vote by which Senate File No. 220 (substitute for Senate File No. 75) passed the Senate.

H. S. VAN ALSTINE.

Senator Adams moved that the Senate adjourn until 9:30 a. m. Thursday.

Senator Frailey moved to amend by making the hour of convening 8 a. m. Motion lost.

The motion of Senator Adams prevailed and the Senate adjourned until 9:30 a. m. Thursday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 20, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. Robert L. Welch, pastor of the United Presbyterian church of Mt. Ayr.

## LEAVE OF ABSENCE.

On request of Senator Thompson, leave of absence was granted Senator Kimberly for the day.

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

## PETITIONS AND MEMORIALS.

Senator Thompson presented a remonstrance of citizens of Des Moines county against bond issue for paved roads.

Referred to committee on highways.

Senator Fellows presented petitions of citizens of Fayette county favoring cigarette bill.

Referred to committee on public health.

Senator Fellows presented a petition of citizens of Fayette county favoring bill giving women the right to vote at state primary.

Referred to committee on elections.

On motion of Senator Wilson, Rule 33 was suspended for the day.

## INTRODUCTION OF BILLS.

By Senator Evans, Senate File No. 254, a bill for an act to amend the law as it appears in section four thousand nine hundred ninety-nine-a eighteen (4999-a 18) of the supplement to the code, 1913, relating to duties and powers of commissioner; and to amend the law as it appears in section four thousand nine hundred ninety-nine-a thirty-one b (4999-a31b) of the supplement to the code, 1913, relating to salaries of assistants; and to amend the law as it appears in section four thousand nine hundred ninety-nine-a thirty-one c (4999-a31c) of the supplemental supplement to the code, 1915, relating to labeling of foods; and to amend section four thousand nine hundred ninety-nine-a thirty-one f (4999-a31f) of the supplemental supplement to the code, 1915, relating to the appropriation of the dairy and food department.

Read first and second time and referred to committee on dairy and food.

By Senator Byington by request, Senate File No. 255, a bill for an act to amend section fifteen hundred twenty-seven-c (1527-c) of the Supplement to the Code, 1913, relating to the transmission of electric light and power.

Read first and second time and referred to committee on public utilities.

By Senator Wilson, Senate File No. 256, a bill for an act to amend section thirty six hundred seventy six (3676) and fifty three hundred sixty nine (5369) of the Code, providing for selection of jury in civil and criminal cases by a jury of thirteen and that twelve of said jury may return a verdict.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Rainbow, Senate File No. 257, a bill for an act to amend Chapter Five (5) Title Sixteen (16) of the Code relating to the guardianship of persons and property.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Pitt, Senate File No. 258, a bill for an act to legalize a certain election held in the Independent School District of Missouri Valley in the County of Harrison and State of Iowa, on the twelfth day of March, 1917, and to authorize and legalize bonds to be issued pursuant to such election and to authorize the expenditure of the funds for the purposes as proposed at said election.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Brookhart, Senate File No. 259, a bill for an act to repeal section two thousand two hundred forty-one (2241) Supplement to the code, 1913, and enacting a substitute in lieu thereof, providing for the establishment of a county home and changing the name of Poor Houses and providing a fund to be known as the County Home fund, and providing for the levy and collection of taxes therefor. Also amending section two thousand two hundred forty-seven (2247) Supplement to the code, 1913, relating to the expense of supporting the poor.

Read first and second time and referred to committee on county and township affairs.

By committee on banks and banking, Senate File No. 260, a bill for an act to amend Section One Thousand Eight Hundred Forty-five (1845), Chapter Ten (10), Title IX, of the Code, as amended by Chapter Two Hundred Thirty-eight (238), of the Acts of the Thirty-seventh (37th) General Assembly of Iowa, relating to number of directors of savings banks.

Read first and second time and passed on file.

By committee on banks and banking, Senate File No. 261, a bill for an act to amend Section Eighteen Hundred Sixty (1860), Chapter Ten (10), Title IX, Supplemental Supplement to the Code, 1915, as amended by Section One (1), Chapter One Hundred Eighty-nine (189) of the Acts of the Thirty-seventh (37) General Assembly, relating to reserves of Savings Banks; and to amend Section Eighteen Hundred Sixty-seven (1867), Chapter Eleven (11), Title IX, of the Code as amended by Section Two (2), Chapter One Hundred Eighty-nine (189), of the Acts of

the Thirty-seventh (37) General Assembly, relating to reserves of State Banks, and to provide cash reserve requirements for State Banks, Savings Banks and Trust Companies, which are or may hereafter become members of the Federal Reserve Bank System of the United States of America.

Read first and second time and passed on file.

By committee on banks and banking, Senate File No. 262, a bill for an act to prohibit a bank or a trust company incorporated under Iowa laws to obtain funds or credit "under cover" or by side agreement; and to prohibit any bank or trust company from accepting any side agreement for any loan or discount or rediscount not openly and regularly made, and to provide penalty for violation thereof.

Read first and second time and passed on file.

By committee on banks and banking, Senate File No. 263, a bill for an act to prohibit the receiving of commissions, etc., for organizing a bank or securing subscriptions to stock.

Read first and second time and passed on file.

By committee on banks and banking, Senate File No. 264, a bill for an act to authorize State Banks, Savings Banks or Trust Companies, incorporated under the laws of Iowa, to make and execute Bankers' Acceptances of Drafts and Bills of Exchange, and to accept such Drafts or Bills of Exchange drawn upon said State Bank, Savings Bank or Trust Company, having not more than six months time to run exclusive of the days of grace.

Read first and second time and passed on file.

By committee on banks and banking, Senate File No. 265, a bill for an act to repeal Section Five (5), Chapter Forty (40), of the Acts of the 37th General Assembly of the State of Iowa, and to enact a substitute therefor, relating to the appointment, qualifications, and salary of bank examiners, and to department assistants and expenses; to repeal Section Eighteen Hundred Seventy-five (1875), Supplemental Supplement to the Code, 1915, and as amended by Section Five (5), Chapter Forty (40), of the Acts

of the 37th General Assembly of the State of Iowa, and to enact a substitute therefor, relating to fees.

Read first and second time and passed on file.

By committee on banks and banking, Senate File No. 266, a bill for an act to repeal Section Eighteen Hundred Sixty-seven (1867) Chapter Eleven (11), Title IX, of the Code, and as amended by Section Two (2), of Chapter One Hundred Eighty-Nine (189), of the Acts of the Thirty-seventh (37) General Assembly, relating to reserves of State Banks and to enact a substitute therefor.

Read first and second time and passed on file.

#### SENATE FILES WITHDRAWN.

By unanimous consent Senator Frailey withdrew Senate File No. 223 from further consideration.

By unanimous consent Senator Thompson withdrew Senate File No. 101 from further consideration.

By unanimous consent Senator Rainbow withdrew Senate File No. 45 from further consideration.

#### HOUSE AMENDMENTS TO SENATE FILE NO. 26.

Senator Schaffter called up Senate File No. 26, amended by the House, and moved that the Senate concur in the following amendment:

Amend Senate File No. 26 by adding at the end of the fifth line of said bill the following:

And by striking out the period following the word "county" in the fifth line of said section 4660 and substituting in lieu thereof the following:

" , provided that the court or judge, for good cause shown, may, upon deposit with the clerk of the court of sufficient money to pay the legal fees and mileage of a witness, order a subpoena to issue requiring the attendance of such witness from a greater distance within the state. Such subpoena shall show that it is issued under the provisions hereof."

On the question, "Shall the Senate concur?" the vote was:



Ayes, 42.

Adams	Foskett	Ratcliff
Anderson	Fralley	Reed
Arney	Greenell	Rule
Balkema	Hale	Schaffter
Ball	Haskell	Scott
Brookhart	Holdoegel	Smith
Broxam	Horchem	Stephenson
Buser	Kingland	Stoddard
Byington	Meredith	Taylor
Cessna	Nelson	Thompson
Coburn	Newberry	Van Alstine
Edwards	Parker	White
Evans	Proudfoot	Whitmore
Fellows	Rainbow	Wilson

Nays, none.

Absent or not voting, 8.

Foster	LeCompte	Price
Kimball	Mitchell	Shane
Kimberly	Pitt	

The House amendment having received a constitutional majority was declared to have been concurred in by the Senate.

#### REPORTS OF COMMITTEES.

Senator White, from the committee on motor vehicles, submitted the following report:

MR. PRESIDENT—Your committee on motor vehicles, to whom was referred Senate File No. 12, a bill for an act to amend Chapter 148 Acts of the Thirty-Seventh General Assembly, relating to lighting devices on motor vehicles, beg leave to report they have had the same under consideration and recommend the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Senator Whitmore, from the committee on elections, submitted the following report:

MR. PRESIDENT—Your committee on elections, to whom was referred Senate File No. 228, a bill for an act authorizing the reduction of election boards when voting machines are used, beg leave to report they have had the same under consideration and recommend the same do pass.

CHESTER W. WHITMORE, *Chairman*.

Ordered passed on file.

Also:

Your committee on elections, to whom was referred Senate File No. 166, a bill for an act to amend Chap. 2-A of Title Six Supplement to the Code, 1913, relating to primary elections and nominations for office and to amend Sec. 1098-a16, Supp. to the Code, 1913, and to provide that the primary election laws, and laws relating to the nomination of candidates for office, shall apply to women the same as to men, beg leave to report they have had the same under consideration and report the same back to the Senate without recommendation.

CHESTER W. WHITMORE, *Chairman.*

Ordered passed on file.

#### SPECIAL ORDERS.

On motion of Senator Parker, Senate File No. 225 was made a special order for February 24 at 10:30 a. m.

On motion of Senator White, Senate File No. 199 was made a special order for Friday, February 21st, at 10:30 a. m.

#### COMMUNICATION OF ATTORNEY GENERAL.

The President announced the receipt of a communication from the Attorney General, in accordance with the Senate resolution, submitting his report of compensation paid and expenses of peace officers or persons, together with their addresses, who have been employed under Chapter 231, Acts of the Thirty-seventh General Assembly.

On motion of Senator Evans, the report was referred to a special committee of three.

The President appointed as such committee Senators Evans, Fosskett and White.

#### THIRD READING OF BILLS.

On motion of Senator Smith, House File No. 26, a bill for an act to amend section twenty-three hundred and fifty-five (2355) of the Code in relation to partition fences, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Alstine offered the following amendment and moved its adoption:

I move to amend House File No. 26 by changing the period at the end of Section 1 to a comma and adding the following:

"And by inserting immediately after the word 'shall' in line 3 the following: 'upon written request of either owner.'"

Also by striking out Section 2.

The amendment was lost.

Senator Smith offered the following amendment and moved its adoption:

I move to amend by inserting in line 3 of Section 2 the word "Des Moines" in lieu of the word "Daily".

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

I move to amend as follows:

Add to section one the following:

"Upon the written request of either party who has already put in his part of the partition fence."

The amendment was lost.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 24.

Anderson	Foskett	Proudfoot
Arney	Holdoegel	Rainbow
Balkema	Horchem	Reed
Ball	Kimball	Smith
Broxam	Kingland	Stephenson
Cessna	LeCompte	Stoddard
Coburn	Nelson	White
Edwards	Parker	Whitmore

## Nays, 21.

Adams	Greenell	Ratcliff
Brookhart	Hale	Reed
Buser	Haskell	Schaffter
Byington	Meredith	Scott
Evans	Mitchell	Taylor
Fellows	Newberry	Thompson
Fralley	Pitt	Wilson

## Absent or not voting, 5.

Foster	Price	Van Alstine
Kimberly	Shane	

So the bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Pitt, House File No. 180, a bill for an act to legalize the action of the consolidated independent school district of Dow City, Crawford County, Iowa, in voting bonds at an election held on the 30th day of April, 1917, and to legalize the bonds issued by said district under said election, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

## Ayes, 47.

Adams	Greenell	Ratcliff
Anderson	Hale	Reed
Arnev	Haskell	Rule
Balkema	Holdoegel	Schaffter
Ball	Horchem	Scott
Brookhart	Kimball	Shane
Broxton	Kingland	Smith
Buser	LeCompte	Stephenson
Byington	Meredith	Stoddard
Cessna	Mitchell	Taylor
Coburn	Nelson	Thompson
Edwards	Newberry	Van Alstine
Evans	Parker	White
Fellows	Pitt	Whitmore
Foskett	Proudfoot	Wilson
Fralley	Rainbow	

Nays, none.

Absent or not voting, 3.

Foster

Kimberly

Price

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 Proudfoot, Senate File No. 210, a bill for an act creating a commission of three persons to edit and codify the laws of the state; defining its powers and duties; providing for the editing of a book of annotations of the code by the code editor; providing for clerical assistance and for the publication and distribution of the code and book of annotations and making an appropriation for the expenses of said commission and such work, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Whitmore offered the following amendments and moved their adoption, singly:

I move to amend Senate File No. 210 as follows:

1st. By striking out of the third and fourth lines of section 4 the words "but referring to all such repealed laws by section and reference to the session repealing same."

2nd. By inserting after the word "shall" in the ninth line of section 4 the words "renumber the sections and"

3rd. By inserting after the word "volume" in the tenth line of said section the words "a table of corresponding sections and"

4th. By adding at the end of section 4 the following: "In printing said code said commission shall print at the left of the sections a numbering of the lines of each section in the same style as in the printing of the session laws of the Thirty-seventh General Assembly."

5th. By inserting after the word "code" in the fourth line of section 5 the words "to all repealed laws by section and reference to the session repealing same and calling attention"

6th. By striking out the first line of section 8 and inserting in lieu thereof the following words "There shall be printed two thousand five hundred (2,500) copies of such code and one copy of such code and of such report, and of such book of annotations shall be"

7th. By adding to section 8 the following: "Said code shall be sold to the public at such price as the executive council may determine."

8th. And by inserting after the word "preserved" in the third line of section 7, the words "as the property of the state"

The amendments were adopted, each in turn.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend the bill by adding to section 7 thereof the following:

The linotype slugs set for the Supplemental Supplement 1915, and now owned by the state, shall be used for the code and book of annotations.

The printing of the code and book of annotations shall be from electrotpe plates and not from the linotype slugs direct, and the electrotpe plates need not be preserved. The type face used for the body of the code shall be ten (10) point Century Expanded and the type face used for the body of the book of annotations shall be eight (8) point number two (2), fourteen and forty-one one-hundredths (14.41) ems, or one hundred fifteen and twenty-eight one-hundredths (115.28) points, to the lower case alphabet.

The amendment was adopted.

Senator Schaffter offered the following amendment and moved its adoption:

I move to amend Senate File No. 210 in the fourth line of Section 13 thereof, by striking out the word "names" and inserting in lieu thereof the words "a list of five persons especially fitted for such work,"

The amendment was adopted.

The bill was read for information.

Senator Proudfoot 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 vote was:

Ayes, 47.

Adams	Edwards	Kingland
Anderson	Evans	LeCompte
Arney	Fellows	Meredith
Balkema	Foster	Mitchell
Ball	Fralley	Nelson
Brookhart	Greenell	Newberry
Broxam	Hale	Parker
Buser	Haskell	Pitt
Byington	Holdoegel	Proudfoot
Cessna	Horchem	Rainbow
Coburn	Kimball	Ratcliff

Reed	Smith	Van Alstine
Rule	Stephenson	White
Schaffter	Stoddard	Whitmore
Scott	Taylor	Wilson
Shane	Thompson	

Nays, none.

Absent or not voting, 3.

Foster	Kimberly	Price
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So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Whitmore offered the following amendment to the title and moved its adoption:

Insert in the fifth line of the title following the word "code" the following: ", report of commission,"

The amendment was adopted.

Senator Kimball offered the following amendment to the title and moved its adoption:

Amend the title by adding thereto the following: "and providing for the use of the linotype slugs used in printing the supplemental supplement to the code, 1915, and specifying the style of type to be used."

The amendment was adopted and the title as amended was agreed to.

Senator Byington called up Senate File No. 58, a bill for an act to exclude aliens from employment as teachers in the public schools and in state institutions, which was made a special order and filed the following amendment:

Amend Senate File No. 58 by striking out all after the enacting clause and substituting the following:

SECTION 1. That it shall be unlawful for any board, any officer or other person acting for the state, or for any county, township, city, village, district, or other municipality in the state, to employ any person or persons, other than native born or naturalized citizens or those who have in good faith declared their intentions to become citizens of the United States, (except those of such age that they can not declare their intentions to become citizens) when such employes are to be paid, in whole or in part, directly or indirectly, out of any funds raised by taxation, where such person or persons are employed as members of the instructional staff in the institutions under the control of the Iowa State Board of Educa-

tion and the public schools of the state or any public institutions of the state, except as provided in section two of this act. But nothing in this act shall be construed to casual lecturers or entertainers.

SEC. 2. The Iowa State Board of Education is authorized when in its judgment it becomes necessary to employ members of the instructional staff of the institutions under their control who are aliens, provided such persons so employed are citizens of the British Empire, France, Belgium or Italy.

SEC. 3. The State Board of Educational Examiners shall from the taking effect of this act include in every teacher's certificate issued by said Board a statement that the person to whom such certificate is issued has met the citizenship requirements provided herein.

SEC. 4. It shall be the duty of any person or persons so employing those whose services are to be paid for, in whole or in part, directly or indirectly, out of any funds raised by taxation, to file with the treasurer or disbursing officer of such funds a certificate showing to the best of his knowledge and belief that the person so employed, and on whose account payment is to be made out of such public funds, meet the requirements of this act as to citizenship.

SEC. 5. Any treasurer or disbursing officer who shall knowingly or wilfully pay out any of the funds in his hands, raised by taxation, to any such person who does not meet the requirements of this act, for labor or any other service, contemplated by this act shall be liable to the municipality to which such funds belong for the amount so paid, to be recovered in any court of competent jurisdiction. Provided, that when such payment is made on the requisite certificate of the employer no liability shall attach to such treasurer or disbursing officer.

SEC. 6. Any employer, or other person, who shall knowingly or negligently make false certificate required under this act that said employes are native or naturalized citizens, or have declared their intentions to become citizens for the purpose of drawing such funds, or any part thereof, shall be personally liable to the municipality to which such funds belong for the amount so drawn, and any alien disqualified from employment under this act who falsely represents that he is a native or naturalized citizen, or has declared his intention to become a citizen shall forfeit the amount of all wages so earned.

On motion of Senator Byington, Senate File No. 58, with the amendment filed, was made a special order for Tuesday, February 25th, at 10:30 a. m.

#### THIRD READING OF BILLS.

On motion of Senator Wilson, Senate File No. 8, a bill for an act to amend section fifty seven hundred eighteen-a-twenty (5718-a-20), supplement to the Code, 1913, relating to the dis-



charge of paroled prisoners, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson 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 vote was:

Ayes, 46.

Adams	Greenell	Ratcliff
Anderson	Hale	Reed
Arney	Haskell	Rule
Balkema	Holdoegel	Schaffter
Ball	Horchem	Scott
Brookhart	Kimball	Shane
Broxam	Kingland	Smith
Buser	LeCompte	Stephenson
Byington	Meredith	Stoddard
Cessna	Mitchell	Taylor
Coburn	Neison	Thompson
Edwards	Newberry	Van Alstine
Evans	Parker	White
Fellows	Pitt	Whitmore
Foskett	Rainbow	Wilson
Frailey		

Nays, none.

Absent or not voting, 4.

Foster	Price	Proudfoot
Kimberly		

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 Frailey, Senate File No. 115, a bill for an act to repeal the law as it appears in section fifty-seven hundred sixteen (5716) supplemental supplement to the Code, 1915, and to enact a substitute therefor providing for the compensation and allowances of officers and employees of the reformatory at Anamosa, and the penitentiary at Fort Madison, Iowa, with report of committee recommending passage, was taken up, considered, and the reports of the committees on appropriations and board of control were adopted.

The following amendments proposed by the committee on appropriations were adopted:

Amend by striking out in line fourteen (14) of said bill the words and figures "One Hundred Ten (\$110.00)" and substituting in lieu thereof the words and figures "One Hundred Twenty-five (\$125.00)".

Also amend by adding to the bill as section two, the following:

"SEC. 2. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Register and the Des Moines Capital, both newspapers published in Des Moines, Iowa."

The following amendments proposed by the committee on board of control were adopted:

Amend by striking out of line three (3) of the title the words "of the" and from line four (4) of the title the words "of Iowa".

Amend section one (1) as follows: By striking out of line two (2) the words "of the"; by striking out of line three (3) the words "of Iowa"; by striking out of line thirty (30) the words "of the"; by striking out of line thirty-one (31) the figures "1907" and inserting in lieu thereof the figures "1913"; by striking out of line thirty-five (35) the words "of the"; by striking out of line thirty-six (36) the figures "1907" and inserting in lieu thereof the figures "1913".

Senator Hale 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 vote was:

Ayes, 41.

Adams	Hale	Ratcliff
Anderson	Haskell	Reed
Arney	Holdoegel	Rule
Balkema	Horchem	Schaffter
Ball	Kimball	Scott
Brookhart	LeCompte	Shane
Broxam	Meredith	Smith
Byington	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Newberry	Van Alstine
Evans	Parker	White
Fellows	Pitt	Whitmore
Foskett	Proudfoot	Wilson
Fralley	Rainbow	

Nays, 2.

Buser

Price

Absent or not voting, 7.

Cessna  
Foster  
Greenell

Kimberly  
Kingland

Taylor  
Thompson

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

#### CARNEY MEMORIAL RESOLUTION.

Senator Arney offered the following resolution:

*Whereas*, Honorable James L. Carney of Marshalltown, Marshall County, Iowa, who was a member of the Senate in the Twenty-sixth and Twenty-seventh General Assemblies of Iowa, died September 19, 1917; therefore,

*Be It Resolved*, that a committee of three be appointed to prepare a memorial fittingly to commemorate his life and services to his state and nation.

By unanimous consent, the resolution was taken up for consideration and adopted.

The president appointed as such committee, Senators Arney, Proudfoot and Byington.

#### CARSON MEMORIAL RESOLUTION.

Senator Kimball offered the following resolution:

*Be It Resolved by the State Senate of the Thirty-eighth General Assembly of Iowa:*

*That whereas*, Judge George Carson, a member of the House of Representatives of the seventeenth and eighteenth General Assemblies of Iowa and a member of the Senate of the twentieth and twenty-first General Assemblies of Iowa was suddenly stricken with death on Tuesday morning, the eighteenth day of February, 1919, at the age of seventy-eight years, and

*Whereas*, he was a lawyer of great experience and ability, a veteran of the Civil War, and an ex-judge of the District Court, a man of rugged character and a valuable citizen of his county, taking a deep interest in all matters pertaining to the welfare of the state and nation, and

*Whereas*, two days before his death he wrote a letter regarding important legislation of the state, which letter is attached to this resolution, now therefore,

*Be It Resolved*, that the letter written so shortly before his death be printed in the Journal of the Senate with this resolution, and

That as a further mark of respect a committee of three be appointed by the president of the Senate to prepare and submit a suitable resolution to commemorate his life, character and services to the state.

Letter from Judge Carson to Senator Kimball:

At Home, Feby. 16, 1919.

HON. CLEM F. KIMBALL, Des Moines, Iowa.

DEAR SENATOR—I have noticed account of dairy legislation, via increasing salaries, etc., but did not see account of any appropriation to help eliminate the "White Plague", recently reported as on the increase here. There seems to be much concern about the "butter fat", but nothing as to its quality. While mayor here in 96-7 my attention was called to this matter quite thoroughly. Massachusetts was badly scourged with the plague and the legislature took it up and the result was that the disease was reduced 75%. I called on our State Veterinary Surgeon desiring that every dairy be inspected and tested that supplied the city, and he told me that no funds were provided to obtain supplies for that service. I again call your attention to this matter and urge the importance of an aggressive campaign to insure relief from this disease and also cleanliness. Every family is involved and exposure is constant, as the disease can only be detected by the well established method.

I will thank you for copy of State Board of Health biennial report—with best wishes—

Yours truly,

GEO. CARSON.

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. 199, a bill for an act to legalize the publication of certain notices of incorporation.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relating to platting and dividing of additions to cities.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relating to benefit allowed persons declared to be blind.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 37, a bill for an act relative to fees of constables.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 96, a bill for an act making it unlawful to advertise certain remedies and appliances.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 123, a bill for an act relative to appropriation to cover expenses for which no appropriation has been made.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 47, a bill for an act relating to compensation for supervisors.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE AMENDMENT.

Amend Senate File No. 47 by adding thereto the following, as Section 2: Section 2. Commissioners, for their services in making such appraisal shall each be entitled to receive Five Dollars (\$5.00) per day for the actual time employed.

Also:

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. 98, a bill for an act legalizing certain warrants of the city of Oelwein, Iowa.

W. C. KAMPAY, *Chief Clerk.*

#### HOUSE AMENDMENT.

Amend by striking out all of the preamble and substituting in lieu thereof the following:

*Whereas*, The city of Oelwein, in the County of Fayette, and State of Iowa, did make certain expenditure in installing Ornamental Lighting Installation on its streets in the amount Two Thousand Six Hundred Seventy Dollars (\$2670.00) and did issue warrants in the amount of Two Thousand Six Hundred Seventy Dollars (\$2670.00) to evidence the indebtedness incurred in making said expenditures, said warrants being issued in conformity with a resolution of the City Council of said city adopted on the 24th day of July, 1916. Each of said warrants were drawn on the Street Lighting Fund and bear the date of July 25th, 1916, scheduled as follows:

Numbers 406-407-408-409-410-411, each warrant in the amount of \$445.00, and all of which bear interest from date at six per cent and are now outstanding.

*Whereas*, The city of Oelwein, in the County of Fayette, and State of Iowa, has, by resolution passed and adopted, issued warrants on the Street Lighting Fund of said city in the aggregate amount of \$4385.01, as follows:

August	8th 1916	Warrant number	1490	\$414.60
October	3rd 1916	"	"	1516 \$407.77
March	6th 1917	"	"	1563 \$437.18
April	3rd 1917	"	"	1577 \$433.51
April	3rd 1917	"	"	1580 \$500.00
September	5th 1917	"	"	1746 \$448.27
March	5th 1918	"	"	1813 \$415.71
March	5th 1918	"	"	1814 \$444.27
December	3rd 1918	"	"	1956 \$445.60
February	4th 1919	"	"	1990 \$438.10

Each bearing interest from their respective dates and all of said warrants are now outstanding.

*Whereas*, the total indebtedness of said city does not now, including said warrants, and did not at the time of the issuance of said warrants, including said warrants, or at the time of the incurring of the indebtedness evidenced by said warrants, including said indebtedness, exceed the constitutional limitation on indebtedness; and

Whereas, said expenditures were all made for the purpose of general and lasting utility authorized by law; and said city has enjoyed the use and benefits of said expenditures; and the results of said expenditures were well worth the price which said city 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; said expenditures were not provided for in the city's annual appropriation; said expenditures were incurred and contracted for in excess of the statutory limitations on indebtedness; the indebtedness incurred, for which the warrants were issued should have been advertised for bids and was not in fact so advertised; said indebtedness should have been authorized by the voters of said city, and was not in fact so authorized.

Whereas, it is deemed advisable to put said doubts and all other doubts which may arise concerning the legality or validity of the aforesaid warrants forever at rest; now therefore"

Also by striking out all of said bill following the enacting clause and substituting in lieu thereof the following:

SECTION 1. That the acts of the Corporate Authorities of the city of Oelwein, in the County of Fayette and State of Iowa, in making expenditures for said city, as set forth in the preamble hereto, and incurring indebtedness thereby and therefor, and issuing warrants in the sum of Seven Thousand Fifty-five and 01-100 (\$7055.01) dollars, plus the interest accrued and accruing on the said several warrants of indebtedness, be and the same are hereby legalized and held valid, as though the law had in all respects been complied with.

Sec. 2. The aforesaid warrants, aggregating in the sum of Seven Thousand Fifty-five and 01-100 (\$7055.01) dollars, issued as set forth in the preamble of this act, together with interest accrued thereon at the taking effect of this act, 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. 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 Des Moines Capital, a newspaper published at Des Moines, Iowa, and the Iowan, a newspaper published at Oelwein, Iowa, without expense to the state.

#### HOUSE MESSAGES CONSIDERED.

House File No. 199, a bill for an act to legalize the publication of certain notices of incorporation in cases where notice had not

been published within the time as provided in section sixteen hundred fourteen (1614) of the code.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 34, a bill for an act to repeal the law as it appears in Section nine hundred sixteen (916) of the Supplement to the Code 1913, relating to the platting and subdividing of additions and to enact a substitute therefor.

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

House File No. 108, a bill for an act to amend section twenty-seven hundred twenty-two-j (2722-j) of the supplemental supplement to the code, 1915, relating to the benefit that the county board of supervisors may allow persons who have been declared to be blind, and providing who shall be entitled to receive the same.

Read first and second time and referred to committee on county and township affairs.

House File No. 96, a bill for an act making it unlawful to advertise remedies, appliances, treatment, etc., for venereal and sexual diseases, and providing a penalty therefor.

Read first and second time and referred to committee on public health.

House File No. 37, a bill for an act to amend article Four of section four thousand five hundred ninety-eight (4598) of the code, relative to the fees of constables.

Read first and second time and referred to committee on judiciary No. 2.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled, Senate File No. 32, a bill



for an act authorizing the Executive Council to sell certain lands belonging to the state, and purchase other lands.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 32, a bill for an act authorizing the Executive Council to sell certain lands belonging to the state, and purchase other lands.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### MOTION TO RECONSIDER WITHDRAWN.

I hereby withdraw my motion to reconsider Senate File No. 220, substitute for Senate File No. 75.

H. S. VAN ALSTINE.

#### SPECIAL ORDERS.

On motion of Senator Kingland, Senate File No. 135, was made a special order for Friday at 11:00 a. m.

On motion of Senator Balkema, House File No. 92, was made a special order for Tuesday, February 25th at 11:00 a. m.

#### BILL SIGNED BY THE PRESIDENT

The President announced that as president of the Senate, in the presence of the Senate, he had signed Senate File No. 32.

On motion of Senator Whitmore, Senate adjourned until 9:30 a. m. Friday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 21, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. N. O. Peterson, pastor of the Lutheran church of Inwood.

Senator Whitmore moved that in honor of Washington's birthday the secretary read extracts from Washington's Farewell Address, following the invocation, tomorrow morning.

The motion prevailed.

## LEAVE OF ABSENCE.

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

## PETITIONS AND MEMORIALS.

Senator Wilson presented a petition of members of the Centerville High School favoring appropriation for state agents.

Referred to committee on appropriations.

Senator Evans presented a remonstrance of citizens of Bremer county against bond issue for paved roads and favoring graveled roads.

Referred to committee on highways.

Senator Hale presented a remonstrance of citizens of Cedar county against bond issue for paved roads.

Referred to committee on highways.

Senator Parker presented a petition of Local Union No. 2485, United Mine Workers of America, favoring the housing bill.

Referred to committee on cities and towns.

Senator Brookhart presented a remonstrance of citizens of Washington county against bond issue for paved roads.

Referred to committee on highways.

Senator Byington presented a remonstrance of citizens of Johnson county against bond issue for paved roads.

Referred to committee on highways.

Senator Stephenson presented a remonstrance of citizens of Decatur and Ringgold counties against bond issue for paved roads.

Referred to committee on highways.

Senator Ball presented a remonstrance of citizens of Jefferson county against bond issue for paved roads.

Referred to committee on highways.

Senator Edwards presented a petition of citizens of Boone county relative to selection of judges.

Referred to committee on elections.

#### MOTION TO RECONSIDER.

I move to reconsider the vote by which House File No. 26 failed to pass the Senate.

EGENE SCHAFFTER.

#### INTRODUCTION OF BILLS.

By Senator Parker, Senate File No. 267, a bill for an act to amend Chapter two hundred sixty-seven (267) of the laws of the 37th General Assembly, relating to the selection of grand and petit juries.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Parker, Senate File No. 268, a bill for an act to amend Section one thousand eight hundred forty-three (1843) of the Supplement to the Code, 1913, relating to the paid up capital of savings banks.

Read first and second time and referred to committee on banks and banking.

By Senator Parker, Senate File No. 269, a bill for an act to amend Section one thousand eight hundred sixty-four (1864) of the Supplement to the Code, 1913, relating to the paid up capital of state banks and trust companies.

Read first and second time and referred to committee on banks and banking.

By Senator Parker, Senate File No. 270, a bill for an act authorizing cities of the first class to establish and maintain lighting installations along both sides of public streets and tax the cost thereof against owners of property fronting on said streets.

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

By Senator Parker, Senate File No. 271, a bill for an act to amend the law as it appears in section ten thousand fifty-six-a-eleven (1056-a11) supplement to the code, 1913, relating to municipal accounting.

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

By Senator Parker, Senate File No. 272, a bill for an act to amend the law as it appears in Chapter three hundred ten (310) Acts of the 37th General Assembly, relating to the drawing of grand and petit jurors, fixing the number thereof, and regulating the method and number of challenges, and the method of exercising peremptory challenges, and of selecting the petit jury from the panel.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Parker, Senate File No. 273, a bill for an act authorizing cities of the first class, including cities acting under special charter and cities acting under the commission plan of government, to improve streets, highways, avenues and alleys by grading, parking, curbing, paving, graveling and macadamizing or guttering the same, or any part thereof, and to assess the cost on the benefited district.

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

By Senator Byington, Senate File No. 274, a bill for an act to amend section nineteen hundred eighty-nine-a twenty-six (1989-a26) and section nineteen hundred eighty-nine-a twenty-seven (1989-a27) of the Supplement to the Code, 1913, relating to length of time for which bonds may be issued and payment made. \*

Read first and second time and referred to committee on judiciary No. 2.

By Senator Evans, Senate File No. 275, a bill for an act to repeal section 4960 and section 4961 of the Code relating to the sale of, or gift of, spirituous or other liquors or articles of merchandise at camp meetings and other places of religious worship.

Read first and second time and referred to committee on suppression of intemperance.

By Senator Evans, Senate File No. 276, a bill for an act to amend the law as it appears in section three thousand nine-a (3009-a), supplement to the code, 1913, and section three thousand nine-n (3009-n), supplemental supplement to the code, 1915, and repealing section three thousand nine-j (3009-j), supplemental supplement to the code, 1915, and enacting a substitute therefor relating to weights and measures.

Read first and second time and referred to committee on dairy and food.

By Senator Holdoegel, Senate File No. 277, a bill for an act to establish a state psychopathic hospital especially designed, equipped and administered for the care, observation and treatment of persons who are afflicted with abnormal mental conditions.

Read first and second time and referred to committee on educational institutions.

By Senator Meredith, Senate File No. 278, a bill for an act to amend the law as it appears in chapter three hundred sixty-three (363), acts of the thirty-seventh (37th) general assembly, relating to aid for poultry associations.

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

By Senator Kimball, Senate File No. 279, a bill for an act to repeal Chapter 2-B of Title VI, Supplement to the Code, 1913, and to enact a substitute therefor, relating to the nomination and election of judges of the supreme, district, superior, and municipal courts.

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

By Senator Holdoegel, Senate File No. 280, a bill for an act to amend section sixteen hundred forty-one-b (1641-b), supplement to the code, 1913; to repeal section sixteen hundred forty-one-c (1641-c), supplement to the code, 1913, and to enact a substitute therefor; and to amend section sixteen hundred thirty-seven (1637), supplement to the code, 1913; and to provide regulations for the issuance and sale of stock by corporations, and to regulate the amount that may be expended in promotion fees and expenses, and to provide penalty for violation of the provisions of this act.

Read first and second time and referred to committee on judiciary No. 2.

On motion of Senator Wilson, 300 copies of the concurrent resolution relative to a revision of the constitution, which was offered by him and which appears on page 531 of the Senate journal, were ordered printed.

On motion of Senator Evans, rule 33 was suspended for the day.

## HOUSE AMENDMENT TO SENATE FILE NO. 98.

Senator Reed called up Senate File No. 98, amended by the House, and moved that the Senate concur in House amendment found on page 637 of the Senate Journal.

On the question "Shall the Senate concur?" the vote was:

Ayes, 40.

Anderson	Hale	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimberly	Shane
Broxam	Kingland	Smith
Buser	Meredith	Stephenson
Byington	Mitchell	Stoddard
Cessna	Nelson	Taylor
Coburn	Newberry	Tompson
Edwards	Parker	Van Alstine
Evans	Proudfoot	White
Fellows	Rainbow	Whitmore
Foskett	Ratcliff	Wilson
Fralley		

Nays, none.

Absent or not voting, 10.

Adams	Haskell	Price
Arney	Kimball	Scott
Foster	LeCompte	
Greenell	Pitt	

The House amendment having received a constitutional majority was declared to have been concurred in by the Senate.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 the following bills:

House File No. 18, a bill for an act to amend section four hundred ninety-five (495), supplemental supplement to the code, 1915, relating to fees to be reported and paid to the county by the county recorder.

Also:

House File No. 38, a bill for an act to amend the law as it appears in Section Four hundred twelve (412) of the Supplement to the Code 1913, relative to the meetings of the Board of Supervisors.

Also:

House File No. 27, a bill for an act amending Section Two Thousand Seven Hundred Seventy Three (2773) Supplement to the Code, 1913, relative to length of time of holding school.

Also:

House File No. 36, a bill for an act to amend section seven hundred ninety-two (792) of the Supplement to the Code, 1913, referring to assessing cost of improvements, repavement and disposal of waste material.

Also:

House File No. 77, a bill for an act to amend section nine hundred and thirty-two-e (932-e) of the supplement to the code of 1913, relating to pensions for disabled and retired firemen.

Also:

House File No. 44, a bill for an act to repeal Section Fifty-seven Hundred Eighteen-a4 (5718-a4) of the Supplement to the Code, 1913, and to enact a substitute therefor, relating to the Reformatory, at Anamosa, Iowa.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 26, a bill for an act amending section four thousand six hundred and sixty (4660) of the code, relating to the distance witnesses may be compelled to travel upon subpoena from district and superior courts.

Also:

Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 91, a bill for an act to



amend Section six-hundred eighty-one (681) of the Code relative to the adoption of ordinances of Cities and Towns.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senate Schaffter, 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. 91, a bill for an act to amend Section six-hundred eighty-one (681) of the Code relative to the adoption of ordinances of Cities and Towns.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*  
WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### BILL SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate File No. 91.

#### REPORTS OF COMMITTEES.

Senator Wilson, from the committee on judiciary No. 1, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 1, to whom was referred Senate File No. 224, a bill for an act to legalize deed of Wayne County, Iowa, to Ben Gilkerson for lots one (1) and two (2) in Young's Second Addition to the town of Seymour, Iowa as shown by plat recorded in book 11, page 152, land deed records of the recorder of Wayne County, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 156, a bill for an act to amend section thirty-seven hundred four (3704) of the code, relating to the arguments of attorneys in cases on

trial in the district court, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 258, a bill for an act to legalize a certain election held in the Independent School District of Missouri Valley in the County of Harrison and State of Iowa, and so forth, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 119, a bill for an act to repeal section thirty-three hundred and seventy-six (3376), supplement to the code, 1913, and to enact a substitute therefor, relating to election by a surviving spouse to take or to refuse to take under a decedent's will, 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:

By inserting in line four following the colon (:), "the survivor's share cannot be affected by any will of the spouse unless consent thereto is given as hereinafter provided". And by inserting between the word "election" and the word "has" in line five thereof the following: "to take or to refuse to take under a will". And by inserting after the period in line twenty-one, the following: "the same notice may be given by any other person interested in the estate of decedent, and shall have the same force and effect as if given by the executor". And by striking out from said bill all following the period in line thirty-seven thereof.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 209, a bill for an act to amend Section four thousand eight hundred ninety-seven-a (4897-a) supplement to the code, 1913, relating to the escape of persons committed to the penitentiary or reformatory and providing the jurisdiction of an indictment for the escape from such, beg leave to report they have had the same under consideration and recom-

mend the same be amended as follows; and when so amended the bill do pass:

By striking out the words and figures found in lines six and seven of section 1, as follows: "in section four thousand eight hundred and ninety seven-a (4897-a) supplement to the code, 1913", and inserting in lieu thereof the word "herein".

J. M. WILSON, *Chairman.*

Ordered passed on file.

Senator Rule, from the committee on military affairs, submitted the following report:

MR. PRESIDENT—Your committee on military affairs, to whom was referred House File No. 17, a bill for an act to provide for the recording of the discharge papers of discharged Soldiers, Sailors, and Marines, beg leave to report they have had the same under consideration and recommend the same do pass.

A. L. RULE, *Chairman.*

Ordered passed on file.

Senator Evans, from the committee on dairies and food, submitted the following report:

MR. PRESIDENT—Your committee on dairies and food, to whom was referred Senate File No. 178, a bill for an act to amend the law as it appears in section two thousand five hundred fifteen (2515) of the supplemental supplement to the code, 1915, and relating to the appointment of a dairy and food commissioner, a deputy dairy and food commissioner, a state dairy inspector, assistants, a chemist, and a bacteriologist and assistant chemist, define the power and duties of such officers and fix their compensation; and to amend the law as it appears in section two thousand five hundred fifteen-g (2515-g) of the supplement to the code, 1913, relating to penalties for violating the dairy laws enforced by the dairy and food commissioner; and to amend section two thousand five hundred twenty-two (2522) of the supplement to the code, 1913, relating to making reports by manufacturers of certain dairy products; and to amend section two thousand five hundred twenty-four (2524) of the code relating to salaries of milk inspectors in certain cities; and to amend chapter thirteen (13) of the code by adding thereto a section relating to the registration and use of marks or brands on containers used for handling skimmed-milk, butter-milk, milk, cream and ice cream, also a section relating to the use of the words "butter", "creamery" and "dairy" on substitutes for butter and advertising material pertaining thereto; and to repeal the law as it appears in sections two thousand five hundred fifteen-b (2515-b) and two thousand five hundred fifteen-c (2515-c) of the supplement to the code, 1913, and section two thousand five hundred fifteen-d (2515-d) supplement to the code, 1913, as amended by chapter

three hundred seventy-seven (377), section one (1), acts of the thirty-seventh general assembly and to enact substitutes therefor relating to the sale of imitation evaporated milk, imitation ice cream, skimmed milk, milk, cream and other dairy products, 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:

By inserting after the word "shall" in the 104th line of section 1 of said bill the following: "devote all their time to their duties and shall"; also by inserting after the parenthesis following the figure "13" in line 1 of section 6 the following: "of Title XII", and by inserting after the parenthesis following the figures "13" in line 1 of section 7 the following: "of Title XII", and by correcting the title by inserting after the parenthesis following the figures "13" in line 17 of the title the following: "of Title XII";

W. T. EVANS, *Chairman*.

On motion of Senator Holdoegel, the bill was referred to committee on departmental affairs.

Also:

Your committee on dairies and food, to whom was referred Senate File No. 205, a bill for an act Defining and regulating the manufacture for sale, the endeavoring to sell, or the sale, of process or renovated butter, and to provide for the branding and labeling of the same, beg leave to report they have had the same under consideration and recommend the same do pass.

W. T. EVANS, *Chairman*.

Ordered passed on file.

Senator Holdoegel, from the committee on departmental affairs, submitted the following report:

MR. PRESIDENT—Your committee on departmental affairs, to whom was referred Senate File No. 233, a bill for an act to amend the law as it appears in Sec. 2682-m, Supplement to the Code, 1913, relating to the mileage paid to members of the Iowa State Board of Education, beg leave to report they have had the same under consideration and recommend the same be referred to appropriations committee, and recommend that same do pass.

P. C. HOLDOEGEL, *Chairman*.

On motion of Senator Holdoegel, the bill was referred to committee on appropriations.

Also:

Your committee on departmental affairs, to whom was referred Senate File No. 191, a bill for an act providing for pensions to District Judges

servng more than twenty years, and having attained an age of seventy years or more, and providing for the terms and exemptions thereof, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

P. C. HOLDOEGEL, *Chairman*.

On motion of Senator Holdoegel, the report was adopted and the bill indefinitely postponed.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred Senate File No. 175, a bill for an act to provide for establishment of part-time schools and classes in aid of vocational and other education for children holding work permits under the provisions of the law relating to child labor and for certain other minors between the ages of fourteen (14) and sixteen (16) and to provide for compulsory attendance thereon, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Senator Ball, from the committee on public health, submitted the following report:

MR. PRESIDENT—Your committee on public health, to whom was referred Senate File No. 41, a bill for an act to regulate the practice of chiropractic and to provide for the examination and license of chiropractors and to provide for the maintenance of the board of examiners, beg leave to report they have had the same under consideration and recommend the same do pass.

GEO. W. BALL, *Chairman*.

Ordered passed on file.

#### THIRD READING OF BILLS.

On motion of Senator Wilson, House File No. 141, a bill for an act to amend the law as it appears in sections twenty-three hundred sixty (2360), twenty-three hundred sixty-two (2362), twenty-three hundred sixty-three (2363), twenty-three hundred sixty-nine (2369) and twenty-three hundred seventy (2370) of the code relating to partition fences, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 43.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Holdoegel	Reed
Balkema	Horchem	Rule
Ball	Kimberly	Schaffter
Brookhart	Kingland	Shane
Broxam	LeCompte	Smith
Buser	Meredith	Stephenson
Byington	Mitchell	Stoddard
Coburn	Nelson	Thompson
Edwards	Newberry	Van Aistine
Evans	Parker	White
Fellows	Price	Whitmore
Foskett	Proudfoot	Wilson
Frailey		

Nays, none.

Absent or not voting, 7.

Cessna	Kimball	Taylor
Foster	Pitt	
Haskell	Scott	

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, Senate File No. 253, a bill for an act to amend section two hundred fifty-three (253) supplemental supplement to the code, 1915, relating to the salary of judges of the district court and expenses, was taken up and considered, being a bill introduced by the committee on appropriations to take the place of Senate File No. 221.

Senator Wilson 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 vote was:

Ayes, 34.

Anderson	Horchem	Rule
Arney	Kimball	Schaffter
Brookhart	Kimberly	Scott
Byington	LeCompte	Shane
Coburn	Newberry	Stephenson
Edwards	Parker	Stoddard
Evans	Price	Taylor
Foskett	Proudfoot	Thompson.
Fralley	Rainbow	White
Greenell	Ratcliff	Whitmore
Hale	Reed	Wilson
Holdoegel		

Nays, 10.

Adams	Fellows	Mitchell
Balkema	Kingland	Nelson
Hall	Meredith	Smith
Buser		

Absent or not voting, 6.

Broxam	Foster	Pitt
Cessna	Haskell	Van Alstine

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. 130, a bill for an act to amend section eight hundred fifty-p (850-p) of the supplemental supplement to the code, nineteen hundred fifteen, extending the time for making tax levy for park purposes for improvement of lakes by dredging or otherwise deepening the same, constructing dikes and levees and changing the form and size thereof improving such lakes and park lands surrounding the same, and for other purposes, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out the words "of the" in line two of the title, and by striking out the period and comma after the word "same" in the last line of the title. Also by striking out the words "of the" in line two of Section 1 of the bill and by striking out the star after the letter "p" in the parenthesis at the beginning of line two of section 1.

The bill was read for information.

Senator Kimball moved that the rules be suspended, and the reading just had be considered the third reading.

Senator Whitmore rose to a point of order that the motion of Senator Kimball would if it prevailed, preclude further debate and amendment.

The President held that the point was well taken.

The motion was lost and further consideration of House File 130 was deferred.

On motion of Senator White, Senate File No. 199, a bill for an act to repeal section five thousand seventy seven A-seventeen (5077-A-17) supplement to the code, 1913, and to enact a substitute therefor, relating to agricultural seeds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator White offered the following amendment and moved its adoption:

I move to amend Senate File No. 199 by striking out of lines 23 and 24, Section C the words "in this state."

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

I move to amend Senate File No. 199 by striking from section 1 thereof, beginning at the word "or" in line forty-six, the following: "or imprisonment in the county jail not to exceed ninety days".

The amendment was lost.

Senator Foskett offered the following amendment and moved its adoption:

I move to amend Senate File No. 199 by striking out all of Section one after the word "days" in line forty-seven of said section, as it appears in the printed bill, and inserting after the word "days" a period ".".

Senator Van Alstine offered an amendment as a substitute for the amendment offered by the senator from Page.



Senator Whitmore raised the point of order that the offer of the substitute was not germane to the pending amendment, inasmuch as it was practically an entire new bill.

The President held that the point of order was well taken.

President pro tem Arney assumed the chair at 11:05 a. m. Senator Parker was called to the chair at 11:10.

President pro tem Arney assumed the chair at 11:15.

Senator Foskett asked for a roll call on the amendment offered by him.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 34.

Adams	Horchem	Schaffter
Anderson	Kimball	Scott
Balkema	Kimberly	Shane
Ball	LeCompte	Smith
Brookhart	Parker	Stephenson
Byington	Price	Stoddard
Evans	Proudfoot	Taylor
Fellows	Rainbow	Thompson
Foskett	Ratcliff	Van Aistine
Frailey	Reed	Whitmore
Hale	Rule	Wilson
Haskell		

Nays, 10.

Arney	Edwards	Meredith
Broxam	Greenell	Newberry
Cessna	Kingland	White
Coburn		

Absent or not voting, 6.

Buser	Holdoegel	Nelson
Foster	Mitchell	Pitt

The amendment was adopted.

Senator Smith offered the following amendment and moved its adoption:

I move to amend by inserting the word "not" following the word "shall" in line 16 of Section B.

The amendment was adopted.

Senator Holdoegel offered the following amendment and moved its adoption:

I move to amend Senate File 199 by adding to section one the following:

"The prosecuting witness in any case brought under the provisions of this act shall have the right of a change of venue upon his application therefor."

Senator Wilson offered the following amendment to the pending amendment:

Add at the end thereof the following: "but this application shall be limited to one such"

By unanimous consent, on request of Senator Holdoegel the amendment of Senator Wilson was incorporated in the pending amendment.

Senator Parker raised the point of order that the amendment was not subject to further debate having gone to a vote.

President pro tem Arney held the point of order not well taken, the vote not having been announced.

President Moore resumed the chair at 11:50 a. m.

Senator Whitmore moved the previous question which motion prevailed.

On the question, "Shall the amendment offered by Senator Holdoegel be adopted?" the vote was:

Ayes, 24.

Adams	Greenell	Rainbow
Arney	Holdoegel	Reed
Balkema	Horchem	Rule
Ball	Kingland	Scott
Broxam	Mitchell	Smith
Cessna	Newberry	Stephenson
Coburn	Pitt	White
Edwards	Price	Wilson

Nays, 22.

Anderson	Haskell	Schaffter
Brookhart	Kimball	Shane
Buser	Kimberly	Stoddard
Byington	Meredith	Taylor
Evans	Parker	Thompson
Fellows	Proudfoot	Van Alstine
Foskett	Ratcliff	Whitmore
Hale		

Absent or not voting, 4.

Foster  
Fralley

LeCompte

Nelson

The amendment was adopted.

Senator Balkema offered the following amendment and moved its adoption:

I move to amend section 1 of the bill under sub-division C by adding thereto the following paragraph as paragraph 6:

"Sixth. The consignee shall be permitted ten days in which to test this seed and if found to fall below the test claimed by consignor, the same may be returned and the money paid for the seed together with all transportation charges paid shall be returned to him by the consignor.

Senator Adams offered the following amendment to the amendment and moved its adoption:

I move to amend the pending amendment by striking out the word "money" and inserting, in lieu thereof the words "purchase price."

The amendment to the amendment was adopted. The amendment by Senator Balkema, as amended, was adopted.

Senator Price offered the following amendment and moved its adoption:

I move to amend Senate File 199 by striking out all that part of section one (1), found in line 41 following the word "neighbors" and ending with the period in line 42 thereof.

Senator Wilson moved that Senator B. J. Gibson, now Captain B. J. Gibson, who was an honored member of the Thirty-seventh General Assembly and who is now in the city, be invited to address the Senate tomorrow morning, following the reading of Washington's Farewell Address.

The motion prevailed.

#### AMENDMENT FILED

Senator Horchem filed the following amendment to Senate File No. 199 and asked that it be printed in the journal:

I move to amend Senate File No. 199 by inserting in line 15, after the word, "labeled", the following: "as to the true name and the variety

of the same and ", and after the word "branded", in line 18, insert the following: "as to the true name and variety of the same and".

#### BILLS SIGNED BY PRESIDENT.

The President announced that as president of the Senate in the presence of the Senate he had signed House Files No. 18, 27, 36, 38, 44 and 77.

#### CORRECTION OF JOURNAL.

The journal of February 20th was corrected and approved.

Senator Kingland moved that the Senate adjourn until 1:30 p. m. today.

Senator Whitmore moved to amend by making the time 9:30 a. m. Saturday.

The amendment was adopted and Senate adjourned until 9:30 a. m. Saturday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 22, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Lieutenant Edward Dankowski, chaplain 163d Depot Brigade, Camp Dodge.

Extracts from Washington's farewell address were read by Secretary Gustafson.

On motion of Senator Proudfoot the extracts just read were ordered printed in the journal.

## EXTRACTS FROM WASHINGTON'S FAREWELL ADDRESS.

In looking forward to the moment, which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal.—If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals that under circumstances in which the passions agitated in every direction were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts, and a guarantee of the plans by which they were effected.—Profoundly penetrated with this idea, I shall carry it with me to the grave, as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete, by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation, which is yet a stronger argument to it.

Here, perhaps, I ought to stop.—But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review some sentiments; which are the result of much reflection, of no inconsiderable observation and which appear to me all important to the permanency of your felicity as a people.—These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsels.—Nor can I forget, as an encouragement to it your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.—

The Unity of Government which constitutes you one people, is also now dear to you.—It is justly so;—for it is a main Pillar in the Edifice of your real independence; the support of your tranquillity at home; your peace abroad; of your safety; of your prosperity in every shape; of that very Liberty, which you so highly prize.—But as it is easy to foresee, that, from different causes, and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth:—as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment, that you should properly estimate the immense value of your national Union to your collective and individual happiness:—that you should cherish a cordial, habitual, and immovable attachment, to it; accustoming yourselves to think and speak of it as of the Palladium of your political safety and prosperity, watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our Country from the rest, or to enfeeble the sacred ties which now link together the various parts.

The president appointed Senators Wilson and Shane to escort Captain B. J. Gibson to the president's desk.

In introducing Captain Gibson, President Moore spoke as follows:

Senators, I feel quite sure it is entirely unnecessary for me to introduce to you Senator Gibson. Aside from a very small portion of the present Senate he is well known to you. We know how well, how conscientiously he served two years ago, how valuable his work was, how earnest he was in attempting to solve every problem submitted to him. We know that to him a greater call of duty came, that he found it advisable to resign his seat in this body in order that he might answer the call of his country. We know too how well and faithfully he served

there. Now that this emergency has passed and he has retired from the military service for the second time and is back again to take up the burdens of civil life, we feel that he will fulfill them in the same way as he discharged his duties when in the Senate.

Permit me to present to you Senator Gibson.

Captain Gibson addressed the Senate as follows:

Mr. President, I have never felt so much like saying nothing as I do now. It has been more than a year since I made a speech or even a talk for that matter, and I do not know just what to say. I am like the old man driving up a hill with his wagon loaded with goods. He drove a little ways and the team got stuck in the mud, so he unloaded part of his load. He went a little farther and got stuck again, and unloaded the balance of his load. He went a little farther and was stuck again. The old man looked around at his wagon and found nothing to unload and finally said, "Stuck, stuck, by thunder, and nothing to unload." That is the way I feel this morning.

Two years have elapsed since we sat together in this honorable body. During those two years the world has seemingly lived an age. If possible, the fullest hour of all times has come and is present. Two years ago our people had not awakened to the fact that this hour was upon them and it was a slow process to reach the summit of endeavor which our country eventually attained. Here and there voices were raised against our participation in the war, some even breathing treason and there was considerable doubt in many minds as to whether or not the nation would present the solid front that it should present to an enemy such as we had. Since that time I have traveled extensively throughout the East and the West and but recently was stationed in the East. Permit me to say that the solidarity of the American nation in November, 1918, just before the armistice was signed, was the marvel of the day. I say this simply to bring to your mind the feeling which I have that while the full hour was upon us then, we must not forget that it is still here and some few things yet remain to be done. \* \* \*

This is Washington's birthday. What would Washington say to us were he present today? Would he say that we have accomplished all, or would he say that there are still things to do? In my humble opinion he would attempt with all his strength to keep us on the job. Just after the armistice was signed, it was to be observed in the army at least that there was a gradual slacking up in the work. Boys who had, without a murmur arisen with the bugle call, worked steadily all day and stood so proudly at retreat in the evening, were not quite as much interested as they had been before. This was no reflection upon them, but was simply the natural thing to do under the circumstances. I do not know whether this was true in private life or not, but if so, it was only natural. However, the world today presents a peculiar and an unnatural condition. Russia is impossible and in all the countries of the old world, there is a condition that is at least dangerous. With such a condition in the world and with the further perplexing problems brought about by the conclusion of the

war, it seems to me that our duty as American citizens demands that we still stay on the job. As our people both young and old did their part during the war so they should do it now. Every man should loan to his government the very best possible that is in him.

In this way, I am sure that success will be attained and America will fulfill the hope which the world now has in her. You know the monument of Washington in the capitol city. One of the peculiar things about it is that it seems to change in color with the changing lights of the day. From tip to base it is a thing of marvelous beauty by reason of its very simplicity, but to me as I have seen it, has occurred the thought that it stands there like a rock of ages, emblematical of the traditions of our fathers, emblematical of the clear thought that was with Washington and the people of his day. The thought of that day and the work of that age was the foundation upon which the present America has erected its temple.

And so this morning it seems to me we could not do better than to make a firm determination that upon the traditions of our fathers we will base our hopes and meet the problems of the day. If we do this, I am sure that to civilization and to the world, America will be in truth a rock of ages. Thus will the world be established as a place of peace, liberty and happiness \* \* \*

Gentlemen, I have talked to you a few minutes. I do not know that I have said anything that has interested you. There is just one thing more I would like to say. Our soldier boys will soon be home from overseas. Many of them are home now. Many of the boys from the camps in this country are back. The glory of their achievement cannot be added to. Nearly two years ago this body reviewed the old third Iowa, now the One Hundred and Sixty-eighth Infantry, at the fair grounds. The van guard of the host that should leave this state. I mention this because it was the beginning. We will recall the splendid review put on by the regiment. Since that time it has gone overseas and has been in practically every battle and campaign of any moment since it landed. We are indeed proud of every boy from this state who wore the little rainbow on his shoulder. Many of them will not return. They filled their hour to the fullest. The glory of their acts can never die. However, many boys of this regiment, as well as thousands who were in other regiments and companies who have performed to the fullest their duty to this nation, will soon be home. Permit me before going further with this thought to state that the thousands from this state who went overseas in whatever regiment or in whatever company, must not be forgotten and I would render to them the same praise. Nor should we forget those who were in the camps ready to go. It is my hope, and I believe it is our duty, to do everything in our power to keep these boys always in Iowa. Their deeds should be the heritage of this state. They are anxious to know whether they will be given a job when they return. It is our hope that we as a people see that they get positions in this state and thus remain with us. \* \* \*



Our army at the close of the war numbered practically four million men, two million of whom were across the seas. This army could not have been raised nor equipped as it was except for the unity of the American people and their sacrifice. For that reason I am sure that in the days to come the people of the nation, all having done their part, will have a feeling of kinship that will insure the preservation of liberty and happiness in the country. This unity raised an army and won a war and it will bring liberty to all mankind.

Mr. President and Senators, I want finally to express to you my appreciation of being permitted to speak this morning. This privilege comes to but few men and I want you to understand that I appreciate it to the fullest extent. I appreciate the welcome you gave me yesterday. I appreciate the welcome you gave me just now and I want to say that I am proud and pleased. I am glad that I am an American citizen, glad that I am from the good old state of Iowa, and am proud of the honor which came to me of being permitted to sit in this Senate and mingle with and know such gentlemen as you.

#### LEAVE OF ABSENCE.

On request of Senator Balkema leave of absence was granted Senator Foster for the day on account of illness.

On request of Senator Kingland leave of absence was granted Senator Nelson for the day.

#### PETITIONS AND MEMORIALS.

Senator Stephenson presented a petition of citizens of Creston Club favoring the passage of Senate File 33 known as the housing bill.

Referred to committee on cities and towns.

Senator Frailey presented a remonstrance of citizens of Lee County against bond issue for paved roads.

Referred to committee on highways.

Senator Van Alstine presented a petition of Humboldt County Agricultural Society favoring increased aid to county and district fairs.

Referred to committee on agriculture.

Senator Foskett presented a remonstrance of citizens of Page County against bond issue for paved roads.

Referred to committee on highways.

Senator Price presented a remonstrance of women of Knoxville against the conversion of the Inebriate Hospital into a home for feeble minded.

Referred to committee on board of control.

Senator Brookhart presented a remonstrance of citizens of Washington County against bond issue for paved roads.

Referred to committee on highways.

Senator Scott presented petitions of citizens of Chickasaw and Floyd Counties favoring House File No. 122.

Referred to committee on appropriations.

Senator Smith presented a remonstrance of citizens of Madison County against bond issue for paved roads.

Referred to committee on highways.

Senator Byington presented a petition of Ladies of N. N. Club of Iowa City favoring the Housing bill.

Referred to committee on cities and towns.

#### INTRODUCTION OF BILLS.

By Senator Evans, Senate File No. 281, a bill for an act defining the crime of criminal syndicalism and prescribing punishment therefor.

Read first and second time and referred to committee on judiciary No. 1.

By Senators Evans and Smith, Senate File No. 282, a bill for an act providing for the standardization of rural schools and granting state aid and providing for an appropriation therefor.

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

By Senator Mitchell, by request, Senate File No. 283, a bill for an act to repeal the law as it appears in sections twenty-five hundred seventy-five-a thirty-six (2575-a-36), twenty-five hundred seventy-five-a thirty-seven (2575-a-37), twenty-five hundred seventy-five-a thirty-eight (2575-a-38), twenty-five hundred seventy-five-a thirty-nine (2575-a-39), twenty-five hundred seventy-five-a forty (2575-a-40), twenty-five hundred seventy-five-a forty-one (2575-a-41), twenty-five hundred seventy-five-a forty-two (2575-a-42), twenty-five hundred seventy-five-a forty-three (2575-a-43), twenty-five hundred seventy-five-a forty-four (2575-a-44), twenty-five hundred seventy-five-a forty-five (2575-a-45), and twenty-five hundred seventy-five-a forty-six (2575-a-46), supplement to the Code, 1913, and to enact a substitute therefor, establishing a State Board of Embalming and Undertaking, defining the duties, powers and authority thereof, to provide for the better protection of life and health, and to prevent the spread of infectious and contagious diseases, to regulate the practice of Embalming and Undertaking in connection with the care and disposition of the dead, and to provide for the trial and punishment of violators of the provisions of this act by fine or imprisonment, and to fix the compensation of the members of said board and its officers.

Read first and second time and referred to committee on public health.

By Committee on Military Affairs, Senate File No. 284, a bill for an act to provide additional appropriations to be used in the construction of the armory at the State University of Iowa and the armory at the Iowa State College of Agriculture and Mechanic Arts, the construction of which was authorized by Chapter 261, Acts of the Thirty Seventh General Assembly; and providing that the appropriations shall be drawn by the Iowa State Board of Education.

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

By Senator Foskett, Senate File No. 285, a bill for an act to amend Section One Thousand Three Hundred Three (1303), Supplemental supplement to the Code, 1915, relating to the levy of taxes for bridge purposes.

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

By Senator Kimball, Senate File No. 286, a bill for an act to amend section seven hundred fifty-one, (751), Supplemental Supplement to the Code, 1915, and relating to the assessment of the cost of extension, repairs and improvement of streets, highways, avenues and alleys, and the taxing of the same to adjacent and abutting property, and fixing district in which adjacent property is to be assessed, and the manner by determining the benefits derived from such extension, repairs and improvements.

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

By Senator Kimball, Senate File No. 287, a bill for an act to amend section two thousand seven hundred twenty-seven three a (2727-3a) of the Supplement to the code 1913, providing for the salary of the Superintendent of the Iowa School for the Deaf.

Read first and second time and referred to committee on educational institutions.

By Senator Taylor, Senate File No. 288, a bill for an act to amend section fifty-two hundred forty (5240) of the supplement to the code, 1913, relating to the impanelling of the grand jury.

Read first and second time and referred to committee judiciary No. 2.

By Senator Schaffter, Senate File No. 289, a bill for an act providing for the use of the English language only in all the schools of this state, up to and including the eighth (8th) grade, or its equivalent; and providing a penalty for the violation thereof.

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

By Senator Whitmore, Senate File No. 290, a bill for an act to repeal the law as it appears in section seven hundred sixty-eight-c (768-c), section seven hundred sixty-eight-d (768-d), section seven hundred sixty-eight-e (768-e), and section seven hundred sixty-eight-f (768-f), supplement to the code, 1913, and to enact

a substitute therefor, relating to the equipment of street railways, and to provide a penalty for violation thereof.

Read first and second time and referred to committee on public utilities.

By Senator Newberry, Senate File No. 291, a bill for an act establishing a medical department of the state library, to provide for the cataloguing and shelving of books thereof, making appropriation therefor, and providing for an assistant librarian and fixing the salary of such assistant.

Read first and second time and referred to committee on public libraries.

On motion of Senator Rule, rule 33 was suspended 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 Senate is asked:

House concurrent resolution relative to an invitation to Dr. W. A. Evans to address a joint session of the House and Senate.

W. C. RAMSAY, *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 relating to calendars being placed on members' desks.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE CONCURRENT RESOLUTION.

By unanimous consent, Senator Ball called up the following concurrent resolution and moved that the Senate concur:

*Be It Resolved by the House of Representatives of the Thirty-eighth General Assembly, the Senate concurring:*

*That, whereas, Dr. W. A. Evans, health editor of the Chicago Tribune, has notified Dr. Sumner, secretary of the Iowa Board of Health, that he*

will be in the city of Des Moines, February 25, 1919, and as he is one of the foremost speakers and orators of this country and perhaps one of the best in public health matters,

*Therefore, Be It Resolved*, that an invitation be extended to Dr. W. A. Evans to address a joint session of the House and Senate at 2:30 p. m. in the House chamber on that date and that the speaker and lieutenant governor be authorized as a committee to extend to him such invitation.

The motion prevailed and the Senate concurred in the resolution.

#### HOUSE CONCURRENT RESOLUTION.

Senator Anderson called up the following House concurrent resolution, and asked unanimous consent for its consideration at this time:

*Be It Resolved by the House of Representatives of the Thirty-eighth General Assembly, the Senate concurring*, that the chief clerk of the House is directed to procure and cause to be placed upon the desk of each of the members of the House a copy of the Senate Calendar in use that day, and the secretary of the Senate is directed to procure and cause to be placed upon the desk of each of the members of the Senate a copy of the House Calendar of that day.

Senator Anderson moved that the Senate concur.

Motion prevailed.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 123, a bill for an act making an appropriation for the purchase of fuel; for the payment of telephone, telegraph, water, light and repairs and for the payment by the executive council of expenses for which no appropriation is made.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 123,

a bill for an act making an appropriation for the purchase of fuel; for the payment of telephone, telegraph, water, light and repairs and for the payment by the executive council of expenses for which no appropriation is made.

Also:

Senate File No. 26, a bill for an act amending section four thousand six hundred and sixty (4660) of the code, relating to the distance witnesses may be compelled to travel upon subpoena from district and superior courts.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 21st day of February, 1919, sent to the governor for his approval, Senate File No. 32, a bill for an act authorizing the Executive Council to sell certain lands belonging to the state, and purchase other lands.

Also:

Senate File No. 91, a bill for an act to amend Section six-hundred eighty-one (681) of the Code relative to the adoption of ordinances of Cities and towns.

EUGENE SCHAFFER, *Chairman.*

Adopted.

#### REPORTS OF COMMITTEES.

Senator Smith, from the committee on claims, submitted the following report:

MR. PRESIDENT—Your committee on claims, to whom was referred Senate File No. 102, a bill for an act appropriating \$561.52 in favor of P. K. Holdbrook for per diem and railroad fare at 2c a mile incurred by him in discharge of his official duties as a member of the Iowa State Board of Education from July 14, 1915 to Oct. 12, 1916 inclusive, beg leave to report they have had the same under consideration and recommend the same do pass.

E. M. SMITH, *Chairman.*

Ordered passed on file.

Also:

Your committee on claims, to whom was referred Senate File No. 56, a bill for an act to indemnify and pay C. A. Wissler \$3,500 for loss and damage sustained while in the discharge of his duty as an employee of the State at the State Sanitorium for the treatment of tuberculosis, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

E. M. SMITH, *Chairman*

On motion of Senator Smith the report was adopted and the bill indefinitely postponed.

Also:

Your committee on claims, to whom was referred Senate File No. 126, a bill for an act to reimburse the firm of Peters and Parker, of Platts-mouth, Neb., for loss sustained by said firm owing to war conditions in the construction of kitchen and dining room building at the Institution for Feeble Minded Children, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

E. M. SMITH, *Chairman*

On motion of Senator Smith the report was adopted and the bill indefinitely postponed.

Senator Fellows, from the committee on educational institutions, submitted the following report:

MR. PRESIDENT—Your committee on educational institutions, to whom was referred Senate File No. 208, a bill for an act to provide free hospital service and medical and surgical treatment for persons who are afflicted with a malady or deformity which can probably be remedied by such service and treatment, and who are unable to pay for the same; providing for the expense thereof; and prescribing the jurisdiction of the district and superior courts in said cases, 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 bill do pass.

A. M. FELLOWS, *Chairman*

On motion of Senator Fellows the bill was referred to committee on appropriations.

Also:

Your committee on educational institutions, to whom was referred Senate File No. 218, a bill for an act to repeal sections 2718-c, 2718-d, 2718-e,



2718-f, Supplement to the Code, 1913, and to enact substitutes therefor and relating to the required attendance of deaf children and blind children at the respective state schools, and for excuse therefrom, and providing a penalty for failing to comply with the provisions of this act, and appropriating funds for carrying out provisions of this act, including the compensation of agent to enforce provisions of this act, 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 bill do pass.

A. M. FELLOWS, *Chairman.*

On motion of Senator Fellows the bill was referred to committee on appropriations.

Senator Kimball, 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. 105, a bill for an act to amend chapter one hundred sixty-four (164), acts of the thirty-seventh General Assembly, relating to pensions for the survivors of the northern border brigade and surviving widows of members thereof, 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:

By inserting between the words "surviving" and "widows" in line 6 of section 1 the word "dependent."

CLEM F. KIMBALL, *Chairman.*

On motion of Senator Kimball the bill was referred to committee on appropriations.

Also:

Your committee on ways and means, to whom was referred House File No. 84, a bill for an act to amend Chapter Three Hundred Forty-three (343), Laws of the Thirty-Seventh General Assembly, relating to levying of taxes, 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:

That the word and figure "Section 1." be inserted preceding the word "That" in line 1.

That the following be inserted after the word "Auditor" and before the word "may" in line 7 of section 1: ", with the approval of the Board of Supervisors."

CLEM F. KIMBALL, *Chairman.*

Ordered passed on file.

Also:

Your committee on Ways and Means to whom was referred Senate File No. 100, a bill for an act to repeal section 1505 of the Code, and enacting a substitute therefor relating to the assessment of all taxable property, and providing that the interest of mortgagee in real estate mortgages shall be exempted from taxation to the owner of the land and assessed to the owner of the mortgage or other security in real estate, and providing that taxation of real estate securities shall be made against the owner of such security in the county, city or district in which the property affected thereby is situated, beg leave to report they have had the same under consideration and recommended the same be indefinitely postponed.

CLEM F. KIMBALL, *Chairman*.

On motion of Senator Kimball the report was adopted and the bill indefinitely postponed.

Senator Edwards, from the committee on county and township affairs, submitted the following report:

MR. PRESIDENT—Your committee on county and township affairs, to whom was referred Senate File No. 124, a bill for an act to repeal the law as it appears in sections 479, 490, 495 and 510-a Supplemental Supplement to the Code, 1915, and section 1 of Chapter 426 of the Acts of the Thirty-Seventh General Assembly, and to enact substitutes in lieu thereof, relating to the duties and compensation of County Officers, 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:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. That section four hundred seventy-nine (479), Supplemental Supplement to the Code, 1915, be and the same is hereby repealed and the following enacted in lieu thereof:

"Each county auditor shall receive for his services the following compensation: In counties having a population of less than ten thousand, seventeen hundred dollars; in counties having a population of ten thousand and less than fifteen thousand, eighteen hundred dollars; in counties having a population of fifteen thousand and less than twenty thousand, nineteen hundred dollars; in counties having a population of twenty thousand and less than twenty-five thousand, two thousand dollars; in counties having a population of twenty-five thousand and less than thirty thousand, twenty-one hundred dollars; in counties having a population of thirty thousand and less than thirty-five thousand twenty-two hundred dollars; in counties having a population of thirty-five thousand and less than forty thousand, twenty-four hundred dollars; in counties having a population of forty

thousand and less than fifty thousand, twenty-eight hundred dollars; in counties having a population of fifty thousand and less than sixty thousand, three thousand fifty dollars; in counties having a population of sixty thousand and less than sixty-five thousand, thirty-three hundred dollars; and in all counties having a population of sixty-five thousand or over, thirty-four hundred dollars.

Provided, however, that in counties having a population of over twenty-five thousand having a special charter city where the county auditor prepares and makes up the city tax books for such special charter city, the county auditor shall receive three hundred dollars in addition to the compensation as fixed by the above schedule in this Act. And in counties having two places at which the District Court is held, he shall receive as additional compensation the sum of five hundred dollars.

SEC. 2. That section Four hundred ninety (490) Supplemental supplement to the Code, 1915, be and the same is hereby repealed, and the following enacted in lieu thereof:

"Each county Treasurer shall receive for his services the following compensation: in counties having a population of less than ten thousand, seventeen hundred dollars; in counties having a population of ten thousand and less than fifteen thousand, eighteen hundred dollars; in counties having a population of fifteen thousand and less than twenty thousand, nineteen hundred dollars; in counties having a population of twenty thousand and less than twenty-five thousand, two thousand dollars; in counties having a population of twenty-five thousand and less than thirty thousand, twenty-one hundred dollars; in counties having a population of thirty thousand and less than thirty-five thousand, twenty-two hundred dollars; in counties having a population of thirty-five thousand and less than forty thousand, twenty-four hundred dollars; in counties having a population of forty thousand and less than fifty thousand, twenty-eight hundred dollars; in counties having a population of fifty thousand and less than sixty thousand, three thousand fifty dollars; in counties having a population sixty thousand and less than sixty-five thousand, thirty-three hundred dollars; and in all counties having a population of sixty-five thousand and over, thirty-four hundred dollars.

Provided, however, that in counties having a population of over twenty-five thousand, having a special charter city where the taxes are collected by the County Treasurer, three hundred dollars in addition to the compensation as fixed by the above schedule in this Act; and in counties where the District Court is held at two different places the County treasurer shall receive five hundred dollars in addition to the compensation as fixed by the above schedule in this Act.

SEC. 3. That section four hundred ninety-five (495) Supplemental Supplement to the Code, 1915, be and the same is hereby repealed, and the following enacted in lieu thereof:

"Each County Recorder shall receive for his services the following compensation: in counties having a population of less than fifteen thousand, sixteen hundred dollars; in counties having a population of fifteen thousand and less than twenty thousand, seventeen hundred dollars; in counties having a population of twenty thousand and less than twenty-five thousand, eighteen hundred dollars; in counties having a population of twenty-five thousand and less than thirty thousand, nineteen hundred dollars; in counties having a population of thirty thousand and less than thirty-five thousand, two thousand dollars; in counties having a population of thirty-five thousand and less than forty thousand, twenty-one hundred dollars; in counties having a population of forty thousand and less than fifty thousand, twenty-two hundred dollars; in counties having a population of fifty thousand and less than sixty thousand, twenty-three hundred dollars; in counties having a population of sixty thousand and less than seventy thousand, twenty-four hundred dollars; in counties having a population of seventy thousand and less than ninety thousand, twenty-five hundred dollars; in counties having a population of ninety thousand and over, thirty-one hundred dollars."

SEC. 4. That section five hundred ten-a (510-a) Supplemental Supplement to the Code, 1915, be and the same is hereby repealed, and the following enacted in lieu thereof:

"Each County Sheriff shall receive for his services the following compensation: in counties having a population of less than fifteen thousand, seventeen hundred dollars; in counties having a population of fifteen thousand and less than twenty thousand, eighteen hundred dollars; in counties having a population of twenty thousand and less than twenty-five thousand, nineteen hundred dollars; in counties having a population of twenty-five thousand and less than thirty-five thousand, twenty hundred dollars; in counties having a population of thirty-five thousand and less than forty thousand, twenty-one hundred dollars; in counties having a population of forty thousand and less than fifty thousand, twenty-two hundred dollars; in counties having a population of fifty thousand and less than sixty thousand, twenty-four hundred dollars; in counties having a population of sixty thousand and less than sixty-five thousand, twenty six hundred dollars; in counties having a population of sixty-five thousand and over, twenty-eight hundred dollars.

All fees collected, except mileage, shall be paid to the Clerk of the District Court for the use of the county and all fees earned, except mileage and uncollected at the end of each year shall belong to the county and when paid shall be reported to the Board of Supervisors by the Clerk of the District Court and paid into the County Treasurer. In counties where the Sheriff is not furnished a residence by the county an additional sum of three hundred (\$300.00) dollars per annum shall be allowed.

SEC. 5. That section one (1) of Chapter four hundred twenty-six (426) of the Acts of the thirty-seventh General Assembly, be and the same is hereby repealed, and the following enacted in lieu thereof:

"Each Clerk of the District Court shall receive for his services the following compensation: in counties having a population of less than ten thousand, seventeen-hundred dollars; in counties having a population of ten thousand and less than fifteen thousand, eighteen-hundred dollars; in counties having a population of fifteen thousand and less than twenty thousand, nineteen-hundred dollars; in counties having a population of twenty thousand and less than twenty-five thousand, two thousand dollars; in counties having a population of twenty-five thousand and less than thirty thousand, twenty-one hundred dollars; in counties having a population of thirty thousand and less than thirty-five thousand, twenty-two hundred dollars; in counties having a population of thirty-five thousand and less than forty thousand, twenty-four hundred dollars; in counties having a population of forty thousand and less than fifty thousand, twenty-eight hundred dollars; in counties having a population of fifty thousand and less than sixty thousand, three thousand fifty dollars; in counties having a population of sixty thousand and less than sixty-five thousand, thirty-three hundred dollars; in counties having a population of sixty-five thousand and over, thirty-four hundred dollars. Provided, however, that in counties where the District Court is held in two places he shall receive as additional compensation the sum of four hundred dollars.

Sec. 6. The salaries of all county officers included in this Act shall be paid out of the County Treasury in equal monthly installments.

Sec. 7. This Act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Des Moines Register and the Des Moines Capital, newspapers published in Des Moines, Iowa.

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred Senate File No. 245, a bill for an act to amend the law as it appears in section 2831 supplement to the code 1913, and section 2831 of the code; and section 1072 supplement to the code 1913, relating to county board of education, 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:

-By striking out section two of said bill and inserting the following in lieu thereof:

Sec. 2. The law as it appears in section one thousand seventy-two (1072), supplement to the code, 1913, is hereby amended by inserting after the period following the word "office" in line forty-three of said section the following to wit:

"There shall also be held one of such conventions on the first Monday in April, 1919, at which time there shall be elected five persons, outside

the membership of such convention, who with the county superintendent, ex-officio, and the chairman of the board of supervisors, ex-officio, shall constitute a county board of education. Such persons shall be reputable citizens of the county, of good educational qualifications, and whose term of office shall begin the first day of May, 1919, and continue until their successors are selected and qualified. Two of whom shall be elected for a term of two years, and three for a term of five years, and at the regular convention in 1921, two members shall be elected for a term of six years, and thereafter two members shall be elected every six years, and at the regular convention in 1924 three members shall be elected for a term of six years and thereafter three members shall be elected every six years, and until their successors shall be elected and qualified. All persons elected or appointed on said board shall qualify on or before ten days following their election or appointment, and at the time of their election or appointment must be citizens of the United States, over twenty-one years of age, and residents of the state for a period of six months, and of the county sixty days, prior to their election or appointment, and the members of said board may be of either sex, and not more than one member, other than the county superintendent, or chairman of the board of supervisors, shall be from the same school corporation. Vacancies in said board are to be filled by the board until the next regular convention, when such convention shall fill all vacancies provided, however, if the members of said board be reduced below a quorum a convention shall be called, as provided by law, to fill vacancies. The majority of said board shall constitute a quorum for the transaction of business. The members of said board shall take an oath of office as provided by law for county officers. The members of said board shall serve without pay, but shall be allowed their actual necessary expenses in performing their duties, not to exceed forty dollars each, annually, to be audited by the board of supervisors, and paid out of the general fund. Meetings of said board shall be held on the second Monday in August and February in each year at the office of the county superintendent, and other meetings on call of the county superintendent, or on written request of any three members filed with the county superintendent. Said board shall perform all duties prescribed by law for the county board of education, and shall act as an advisory board to the county superintendent, and shall co-operate with him in formulating plans, and regulations for the advancement and welfare of the schools under his supervision.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

#### BILLS SIGNED BY PRESIDENT.

The President announced that as president of the Senate in the presence of the Senate he had signed Senate Files Nos. 26 and 123.

#### MOTIONS TO RECONSIDER CALLED UP.

Senator Schaffter called up his motion filed to reconsider the vote by which House File No. 26 failed to pass the Senate.

The motion to reconsider prevailed.

Senator Proudfoot called up the motion filed by Senator Kimball to reconsider the vote by which House File 68 was indefinitely postponed.

The motion to reconsider prevailed.

On motion of Senator Proudfoot House File No. 68 was referred to Committee on Judiciary No. 2.

### THIRD READING OF BILLS.

On motion of Senator Pitt, Senate File No. 258, a bill for an act to legalize a certain election held in the Independent School District of Missouri Valley in the County of Harrison, and State of Iowa, on the twelfth day of March, 1917, and to authorize and legalize to be issued pursuant to such election and to authorize the expenditure of the funds for the purposes as proposed at said election, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Pitt 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 vote was:

Ayes, 43.

Adams	Fralley	Rainbow
Anderson	Greenell	Rateliff
Arney	Hale	Reed
Balkema	Haskell	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Broxam	Kingland	Shane
Buser	LeCompte	Smith
Byington	Meredith	Stephenson
Cessna	Mitchell	Taylor
Coburn	Newberry	Thompson
Edwards	Pitt	White
Evans	Price	Whitmore
Fellows	Proudfoot	Wilson
Foskett		

Nays, none.

Absent or not voting, 7.

Foster  
Holdoegel  
Kimberly

Nelson  
Parker

Stoddard  
Van Alstine

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

#### CARSON MEMORIAL COMMITTEE.

Senator Kimball called up the resolution relative to a memorial committee for Hon. George Carson.

The resolution was adopted, and the President appointed as such committee Senators Kimball, Wilson and Proudfoot.

#### HOUSE AMENDMENT CONCURRED IN.

Senator Kimball called up Senate File No. 47 and moved that the Senate concur in the following House Amendments:

Amend Senate File No. 47 by adding thereto the following, as Section 2:

Section 2. Commissioners, for their services in making such appraisal shall each be entitled to receive Five Dollars (\$5.00) per day for the actual time employed.

On the question "Shall the Senate concur?" the vote was:

Ayes, 40.

Anderson  
Arney  
Balkema  
Ball  
Brookhart  
Buser  
Byington  
Coburn  
Edwards  
Evans  
Fellows  
Foskett  
Fralley  
Greenell

Hale  
Haskell  
Horchem  
Kimball  
Kimberly  
Kingland  
LeCompte  
Mitchell  
Newberry  
Price  
Proudfoot  
Rainbow  
Ratcliff

Reed  
Rule  
Scott  
Shane  
Smith  
Stephenson  
Stoddard  
Taylor  
Thompson  
Van Alstine  
White  
Whitmore  
Wilson

Nays, none.



Absent or not voting, 10.

Adams  
Broxam  
Cessna  
Poster

Holdoegel  
Meredith  
Nelson

Parker  
Pitt  
Schaffter

The House amendment having received a constitutional majority was declared to have been concurred in by the Senate.

On motion of Senator White, Senate File No. 199 was referred to committee on judiciary No. 1.

Senator Kingland moved that Senate File No. 135 be made a special order for Tuesday, February 25th, at 10 a. m.

Motion 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. 234, a bill for an act relating to judgments of the supreme court in criminal cases.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 in reference to the organization of farm improvement associations.

W. C. RAMSAY, *Chief Clerk.*

Also:

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 to determine the number of peremptory challenges and of selecting the petit jury from the panel in criminal cases.

W. C. RAMSAY, *Chief Clerk.*

## HOUSE AMENDMENT.

Amend the title to Senate File No. 116 so as to read as follows:

A bill for an act to amend sections five thousand three hundred and sixty-three (5363), five thousand three hundred and sixty-five (5365), and five thousand three hundred and sixty-six (5366) of the code, regulating the method and number of challenges and the method of exercising peremptory challenges and of selecting the petit jury from the panel in the case of criminal procedure.

By striking out all following the enacting clause and substituting in lieu thereof the following:

SECTION 1. That section five thousand three hundred and sixty-three (5363) of the code, be and the same is hereby amended by striking from line two (2) thereof the word "twelve" and by inserting in lieu thereof the word "sixteen".

SEC. 2. That section five thousand three hundred and sixty-five (5365) of the code, be and the same is hereby repealed and the following enacted in lieu thereof:

If the offense charged in the indictment or information is or may be punishable with death or imprisonment for life, the state and defendant shall each have the right to peremptorily challenge eight jurors and shall strike two jurors; if the offense charged be any other felony, the state and the defendant shall each have the right to peremptorily challenge four jurors and shall strike two jurors; and if the offense charged be a misdemeanor, the state and the defendant shall each have the right to peremptorily challenge one juror and shall strike two jurors. The clerk shall prepare a list of jurors called and after all challenges for cause are exhausted or waived, the parties, commencing with the state, shall alternately challenge peremptorily or waive by indicating any such challenge upon the list opposite the name of the juror challenged or by indicating the number of waiver elsewhere on the list.

SEC. 3. That section five thousand three hundred and sixty-six (5366) of the code, be and the same is hereby repealed and the following enacted in lieu thereof:

After each challenge, sustained for cause, or made peremptorily as indicated on the list, another juror shall be called and examined for challenge for cause before a further challenge is made and any new juror thus called may be challenged for cause and shall be subject to peremptory challenge or to being struck from the list as other jurors. After all challenges have thus been exercised or waived and four jurors have been struck from the list the clerk shall read the names of the twelve jurors remaining who shall constitute the jury selected.

## HOUSE MESSAGES CONSIDERED.

House File No. 234, a bill for an act to amend the law as it appears in section five thousand four hundred and sixty-four (5464) of the code, relating to judgments of the supreme court in criminal cases.

Read first and second time and referred to Committee on judiciary No. 2.

House File No. 260, a bill for an act to amend Chapter Ninety (90) of the Acts of the Thirty-seventh General Assembly, in reference to the organization of Farm Improvement Associations.

Passed on file.

## THIRD READING OF BILLS.

On motion of Senator Kingland, Senate File No. 135, 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 the agent or employee or said party or one in privity with such party, or a person for whose benefits an action or proceeding is prosecuted or defended, or 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 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, the report of the committee recommending indefinite postponement having been rejected.

Senator Hale moved the previous question, which motion prevailed.

Senator Kingland 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 vote was:

Ayes, 17.

Adams  
Anderson  
Arney  
Ball  
Brookhart  
Coburn

Evans  
Greenell  
Horchem  
Kimball  
Meredith  
Rainbow

Scott  
Smith  
Taylor  
White  
Whitmore

## Nays, 26.

Baikema	Kimberly	Reed
Buser	Kingland	Rule
Byington	LeCompte	Schaffter
Edwards	Mitchell	Shane
Fellows	Newberry	Stephenson
Foskett	Parker	Stoddard
Fralley	Price	Thompson
Hale	Proudfoot	Wilson
Haskell	Ratcliff	

## Absent or not voting, 7.

Broxant	Holdoegel	Pitt
Cesana	Nelson	Van Alstine
Foster		

So the bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Foskett Senate adjourned until 1:30 p. m. today.

## AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

## LEAVE OF ABSENCE.

On request of Senator Foskett leave of absence was granted Senator Holdoegel for the day.

On request of Senator Smith leave of absence was granted Senator LeCompte for the afternoon.

On request of Senator Parker leave of absence was granted Senator Coburn for the afternoon.

## THIRD READING OF BILLS.

On motion of Senator Kimball, House File No. 130, a bill for an act to amend section eight hundred fifty-p (850-p) of the supplemental supplement to the code, nineteen hundred fifteen, extending the time for making tax levy for park purposes for improvement of lakes by dredging or otherwise deepening the same, constructing dikes and levees and changing the form and size thereof, improving such lakes and park lands surrounding the same, and for other purposes, with report of committee recommending amendements and passage, was taken up and considered, the report of the committee having been adopted, and the committee amendements having also been adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 29.

Anderson	Fralley	Rule
Arney	Hale	Schaffter
Ball	Horchem	Shane
Bookhart	Kimball	Smith
Buser	Kimberly	Stoddard
Byington	Kingland	Taylor
Cessna	Parker	Thompson
Evans	Proudfoot	Van Alstine
Fellows	Rainbow	Whitmore
Foskett	Reed	

Nays, 4.

Adams	Haskell	Pitt
Greenell		

Absent or not voting, 17.

Balkema	LeCompte	Ratcliff
Broxam	Meredith	Scott
Coburn	Mitchell	Stephenson
Edwards	Nelson	White
Foster	Newberry	Wilson
Holdoegel	Price	

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 Whitmore, Senate File No. 12, a bill for an act to amend Chapter 148 of the Acts of the Thirty-seventh General Assembly of the State of Iowa, relating to lighting devices on motor vehicles, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Whitmore offered the following amendment and moved its adoption:

I move to amend S. F. 12 by adding the following:

"SECTION 2. Commencing with the year nineteen hundred and twenty the application for automobile license shall contain a clause reading: 'I have complied with the law regulating the use of lighting devices on motor vehicles.'"

"SECTION 3. This act being deemed of immediate importance shall be in full force and effect upon its passage and publication in The Des Moines

Register and Des Moines Capital, newspapers published at Des Moines, Iowa."

The amendment was adopted.

Senator Whitmore 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 vote was:

Ayes, 41.

Adams	Greenell	Ratcliff
Anderson	Hale	Reed
Arney	Haskell	Rule
Balkema	Horchem	Schaffter
Ball	Kimball	Shane
Brookhart	Kimberly	Smith
Broxam	Kingland	Stephenson
Buser	Meredith	Stoddard
Byington	Mitchell	Taylor
Cessna	Newberry	Thompson
Evans	Parker	Van Alstine
Fellows	Price	Whitmore
Foskett	Proudfoot	Wilson
Fralley	Rainbow	

Nays, none.

Absent or not voting, 9.

Coburn	Holdoegel	Pitt
Edwards	LeCompte	Scott
Foster	Nelson	White

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 Byington, Senate File No. 161, a bill for an act to amend section forty-six hundred-a (4600-a) of the supplement to the code, 1913, relative to fees of Justices of the Peace and Constables, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Byington offered the following amendment and moved its adoption:

I move to amend Senate File No. 161 by striking out all after the enacting clause and inserting in lieu thereof: "Section forty-six hundred-a (4600-a) Supplement to the Code, 1913, is hereby repealed and the following enacted in lieu thereof: Justices of the peace and

constables in townships having a population of more than twelve thousand shall pay into the county treasury all criminal fees collected in each year. Justices of the peace and constables in townships having a population of under twelve thousand shall pay into the county treasury all fees collected each year in excess of the following sums: In townships having a population of four thousand and under twelve thousand, justices, eight hundred dollars; constables, six hundred dollars; in all townships having a population of under four thousand, justices, six hundred dollars; constables, five hundred dollars. In townships having a population of twelve thousand or more, justices of the peace and constables shall receive in full compensation for their services performed in criminal cases during the year, the following sums which shall be paid quarterly out of the county treasury; In townships having a population of twenty-eight thousand or more, justices, fifteen hundred dollars; constables, twelve hundred dollars; in townships having a population of twenty thousand and under twenty-eight (thousand), justices, twelve hundred dollars; constables, one thousand dollars; in townships having a population of twelve thousand and under twenty thousand, justices, one thousand dollars; constables, eight hundred dollars. Justices and constables in all townships having a population of twelve thousand and over shall retain such civil fees as may be allowed by the board of supervisors, not to exceed five hundred dollars per annum, for expenses of their offices actually incurred, and shall pay into the county treasurer all the balance of the civil fees collected by them."

The amendment was adopted.

Senator Byington 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 vote was:

Ayes, 26.

Adams	Haskell	Rule
Ball	Horchem	Schafter
Brookhart	Kimberly	Stephenson
Byington	Mitchell	Stoddard
Evans	Newberry	Taylor
Foskett	Parker	Thompson
Fralley	Rainbow	Whitmore
Greenell	Ratcliff	Wilson
Hale	Reed	

Nays, 5.

Anderson	Cass	Kingland
Arney	Fellows	

Absent or not voting, 19.

Balkema	Kimball	Scott
Broxam	LeCompte	Shane
Buser	Meredith	Smith
Coburn	Nelson	Van Alstine
Edwards	Pitt	White
Foster	Price	
Holdoegel	Proudfoot	

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. 295, a bill for an act to amend Section One Thousand Eight Hundred Forty-five (1845), Chapter Ten (10), Title IX, of the Code, as amended by Chapter Two Hundred Thirty-eight (238), of the Acts of the Thirty-seventh (37th) General Assembly of Iowa, relating to number of directors of savings banks.

W. C. RAMSAY, *Chief Clerk.*

#### THIRD READING OF BILLS.

On motion of Senator Adams, Senate File No. 260, a bill for an act to amend section one thousand eight hundred forty-five (1845), chapter ten (10), title IX, of the code, as amended by chapter two hundred thirty-eight (238), of the Acts of the Thirty-seventh (37th) General Assembly of Iowa, relating to number of directors of savings banks, was taken up and House File No. 295, a companion bill, was by unanimous consent, substituted therefor.

House File No. 295 was read the first and second times.

On motion of Senator Adams the rule was suspended whereby no bill may be read the second and third times on the same day.

Senator Balkema offered the following amendment and moved its adoption:

Strike out the words "of Iowa" in line 6 of the title and also in line 3 of section 1.

The amendment was adopted.



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

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Adams	Greenell	Reed
Anderson	Hale	Rule
Arney	Haskell	Schaffter
Balkema	Horchem	Shane
Ball	Kimberly	Smith
Brookhart	Kingland	Stephenson
Broxam	Meredith	Stoddard
Byington	Mitchell	Taylor
Cessna	Newberry	Thompson
Evans	Parker	Van Alstine
Fellows	Price	Whitmore
Foskett	Rainbow	Wilson
Frailey	Ratcliff	

Nays, none.

Absent or not voting, 12.

Buser	Holdoegel	Pitt
Coburn	Kimball	Proudfoot
Edwards	LeCompte	Scott
Foster	Nelson	White

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 Whitmore, Senate File No. 265, a bill for an act to repeal section five (5), chapter forty (40), of the Acts of the Thirty-seventh General Assembly of the State of Iowa, and to enact a substitute therefor, relating to the appointment, qualifications and salary of bank examiners, and to department assistants and expenses; to repeal section eighteen hundred seventy-five (1875), supplemental supplement to the code, 1915, and as amended by section five (5), chapter forty (40), of the Acts of the Thirty-seventh General Assembly of the State of Iowa, and to enact a substitute therefor, relating to fees, was taken up and considered, being a committee bill.

At the request of Senator Whitmore, further action was deferred.

On motion of Senator Thompson, all employees of the Senate belonging to the G. A. R. were excused for the afternoon to attend exercises in the House of Representatives.

President pro tem Arney assumed the chair at 2:30.

#### SPECIAL ORDERS.

On motion of Senator Schaffter, Senate File No. 124 was made a special order for 11:00 a. m. Monday.

On motion of Senator Price, Senate File No. 41 was made a special order for Tuesday, Feb. 25, at 10:00 a. m.

#### THIRD READING OF BILLS.

On motion of Senator Balkema House File No. 122 was made a special order for Thursday, March 6th at 10:30 a. m.

On motion of Senator Kingland, Senate File No. 156, a bill for an act to amend section thirty-seven hundred four (3704) of the code, relating to the arguments of attorneys in cases on trial in the district court, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Haskell moved the previous question, which motion prevailed.

Senator Kingland 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 vote was:

Ayes, 8.

Foskett  
Hale  
Kingland

Price  
Reed  
Rule

Taylor  
Wilson

Nays, 23.

Adams  
Anderson  
Ball  
Buser  
Byington  
Evans  
Fellows  
Frailey

Greenell  
Haskell  
Horchem  
Meredith  
Mitchell  
Newberry  
Parker  
Rainbow

Ratcliff  
Schaffter  
Shane  
Stephenson  
Stoddard  
Thompson  
Whitmore

## Absent or not voting, 19.

Arney	Foster	Pitt
Balkema	Hoidoegel	Proudfoot
Brookhart	Kimball	Scott
Broxam	Kimberly	Smith
Cessna	LeCompte	Van Alstine
Coburn	Nelson	White
Edwards		

So the bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

## REPORT OF COMMITTEE.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred Senate File No. 183, a bill for an act to amend the law as it appears in section two thousand seven hundred eighty (2780), supplement to the Code 1913, relating to the system of common schools and requiring quarterly publication of expenditures, beg leave to report they have had the same under consideration and recommend that the attached committee bill be substituted therefor.

BYRON W. NEWBERRY, *Chairman.*

The report was adopted.

## INTRODUCTION OF BILLS.

By Committee on Schools, Senate File No. 292, a bill for an act to repeal section two thousand seven hundred eighty-one (2781) of the Code, relating to the system of common schools and requiring certain publications of expenditures and receipts, and enacting a substitute therefor.

Read first and second time and passed on file.

By Senator Parker, Senate File No. 293, a bill for an act relating to the practice of drugless healing and to provide punishment for a violation thereof; to create a Board of Examiners and to provide for their compensation; the giving of examination and licensing of practitioners.

Read first and second time and referred to committee on public health.

By Senator Arney, Senate File No. 294, a bill for an act to amend section two thousand six hundred four (2604), Supplemental Supplement to the code, 1915, relating to salary of Commandant of the Soldiers' Home.

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

#### CORRECTION OF JOURNAL.

The journal of Feb. 21st was corrected and approved.

Senator Hale moved that the Senate adjourn until 9:00 a. m. Monday.

Senator Whitmore moved to amend by making the time 9:30, which motion prevailed.

Senate adjourned until 9:30 a. m. Monday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 24, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. Gilbert J. Chalice, pastor of the M. E. Church of West Branch.

## LEAVE OF ABSENCE.

On request of Senator Evans leave of absence was granted Senator Wilson for the day.

On request of Senator Balkema leave of absence was granted Senator Foster until after recess.

## PETITIONS AND MEMORIALS.

Senator Parker presented a petition of Local Union Nos. 55 and 1603, United Mine Workers of America, favoring the shot firers bill.

Referred to committee on mines and mining.

Senator Parker presented a petition of Local Union No. 55, United Mine Workers of America, favoring the housing bill.

Referred to committee on cities and towns.

Senator Buser presented a remonstrance of citizens of Louisa County against bond issue for paved roads.

Referred to committee on highways.

Senator Stephenson presented a remonstrance of citizens of Ringgold County against bond issue for paved roads.

Referred to committee on highways.

Senator Brookhart presented a petition of the Nineteenth Century Club of Washington favoring the bill limiting the hours women may be employed and also the housing bill.

Referred to committee on cities and towns.

Senator Brookhart presented a remonstrance of citizens of Washington County against bond issue for paved roads.

Referred to committee on highways.

#### 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. 294, a bill for an act to authorize State Banks or Trust Companies, incorporated under the laws of Iowa, to make and execute Bankers' Acceptances of Drafts and Bills of Exchange, and to accept such Drafts or Bills of Exchange drawn upon said State Bank, Savings Bank or Trust Company, having not more than six months' time to run exclusive of the days of grace.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 296, a bill for an act to repeal Section Eighteen Hundred Sixty-seven (1867) Chapter Eleven (11), Title IX, of the Code of Iowa, and as amended by Section Two (2), Chapter One Hundred Eighty-nine (189), of the Acts of the Thirty-seventh (37) General Assembly of the State of Iowa, and relating to reserve of State Banks, and to enact a substitute therefor.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 294, a bill for an act to authorize State Banks, Savings Banks or Trust Companies, incorporated under the laws of Iowa, to make and execute Bankers' Acceptances of Drafts and Bills of Exchange, and to accept such Drafts or Bills of Exchange drawn upon said State Bank, Savings Bank or Trust Company,

having not more than six months' time to run exclusive of the days of grace.

Read first and second time and passed on file.

House File No. 296, a bill for an act to repeal Section eighteen hundred sixty-seven (1867) Chapter eleven (11), Title IX, of the Code of Iowa, and as amended by Section Two (2), of Chapter One Hundred Eighty-nine (189), of the Acts of the Thirty-seventh (37th) General Assembly, relating to reserves of State Banks and to enact a substitute therefor.

Read first and second time and passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 the following bills:

House File No. 71, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-b seven (1989-b7), supplemental supplement to the code, 1915, to provide for the issuance of ditch warrants in connection with the drainage of highways.

Also:

House File No. 180, a bill for an act to legalize the action of the Consolidated Independent School District of Dow City, Crawford County, Iowa, in voting bonds at an election held on the 30th day of April, 1917, and to legalize the bonds issued by said district under said election.

Also:

House File No. 62, a bill for an act providing that certified copies of public records be furnished free of charge to any soldier, sailor or marine, in service or honorably discharged, or any dependent of such soldier, sailor or marine.

Also:

House File No. 70, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-b ten (1989-b10), supplemental supplement to the code, 1915, referring to costs in case of abandonment.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 22d day of February, 1919, sent to the governor for his approval, senate file No. 123, a bill for an act making an appropriation for the purchase of fuel; for the payment of telephone, telegraph, water, light and repairs and for the payment by the executive council of expenses for which no appropriation is made.

Also:

Senate File No. 26, amending section four thousand six hundred and sixty (4660) of the code, relating to the distance witnesses may be compelled to travel upon subpoena from district and superior courts.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### THIRD READING OF BILLS.

On motion of Senator Holdoegel, Senate File No. 228, a bill for an act authorizing the reduction of election board when voting machines are used, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Holdoegel offered the following amendment and moved its adoption:

Strike out the words "of the" in line 2 of Section 1.

The amendment was adopted.

Senator Holdoegel 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 vote was:

Ayes, 41.

Adams	Foskett	Proudfoot
Anderson	Frailey	Rainbow
Arney	Greenell	Ratcliff
Balkema	Hale	Reed
Ball	Haskell	Rule
Brookhart	Holdoegel	Schaffter
Broxam	Horchem	Scott
Buser	Kimball	Shane
Byington	Kimberly	Smith
Cassna	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Newberry	Thompson
Evans	Parker	Whitmore
Fellows	Price	

Nays, none.

Absent or not voting, 9.

Foster	Meredith	Van Alstine
Kingland	Pitt	White
LeCompte	Taylor	Wilson

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Holdoegel offered the following substitute for the title and moved its adoption:

A bill for an act to amend Sec. 1093, Supplemental Supplement to the Code, 1915, relating to election boards when voting machines are used.

The substitute title was adopted and the title was agreed to.

#### MOTION TO RECONSIDER.

I move to reconsider the vote by which Senate File No. 135 failed to pass the Senate, and also the vote by which it passed to its third reading.

T. A. KINGLAND.

Senator Whitmore moved that Senate File No. 265 be made a special order for Monday, March 10th, at 10:30 a. m.

Senator Newberry moved as a substitute that the bill be referred to the committee on departmental affairs, to be reported back by Monday, March 10th, at 10:30.

Motion prevailed.

On motion of Senator Thompson, Senate File No. 205, a bill for an act defining and regulating the manufacture for sale, the endeavoring to sell, or the sale, of process or renovated butter, and to provide for the branding and labeling of the same, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Thompson 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 vote was:

Ayes, 43.

Adams	Frailey	Proudfoot
Anderson	Greenell	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Reed
Ball	Holdoegel	Rule
Brookhart	Horchem	Schaffter
Broxam	Kimball	Scott
Buser	Kimberly	Smith
Byington	LeCompte	Stephenson
Cessna	Mitchell	Stoddard
Coburn	Nelson	Taylor
Edwards	Newberry	Thompson
Evans	Parker	Van Alstine
Fellows	Price	Whitmore
Foskett		

Nays, none.

Absent or not voting, 7.

Foster	Pitt	White
Kingland	Shane	Wilson
Meredith		

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 Coburn rule 33 was suspended for the day.

On motion of Senator Ratcliff, House File No. 17, a bill for an act to provide for the recording of discharge papers of discharged soldiers, sailors and marines, with report of committee

recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Ratcliff 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 vote was:

Ayes, 44.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Hoidoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Broxam	Kimberly	Smith
Buser	LeCompte	Stephenson
Byington	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Nelson	Thompson
Evans	Newberry	Van Alstine
Fellows	Parker	White
Foskett	Price	Whitmore
Frailey	Proudfoot	

Nays, none.

Absent or not voting, 6.

Cessna	Kingland	Shane
Foster	Pitt	Wilson

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

#### CORRECTION OF JOURNAL.

The journal of February 22d was corrected and approved.

#### REPORT ON SENATE FILE 56 RECONSIDERED.

Senator Smith moved to reconsider the vote by which the report of the committee on claims was adopted, indefinitely postponing Senate File No. 56, which motion prevailed.

On motion of Senator Smith, Senate File No. 56 was re-referred to the committee on claims.

## THIRD READING OF BILLS.

On motion of Senator Parker, Senate File No. 225, a bill for an act to amend the law as it appears in section five thousand forty (5040) of the Code, relating to the observance of the Sabbath, introduced by the committee on cities and towns, was taken up and considered.

Senator Parker offered the following amendment and moved its adoption:

Amend Senate File No. 225 by striking out the parentheses found in lines 4 and 5 of Section 6.

The amendment was adopted.

Senator Evans was called to the chair at 10:55.

Senator Proudfoot offered the following amendment and moved its adoption:

I move that Senate File 225 be amended by striking therefrom all of Sections two (2), three (3) and four (4), and that Section five (5) be amended by striking from line one thereof the words "towns or"

Senator Proudfoot raised the point of order that the discussion was not on the amendment under consideration.

The president held the point of order not well taken.

President Moore resumed the chair at 11:35.

Senator Coburn moved the previous question on the amendment, which motion prevailed and the previous question was ordered.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 19.

Balkema  
Ball  
Brookhart  
Buser  
Edwards  
Fellows  
Foskett

Meredith  
Mitchell  
Nelson  
Pitt  
Proudfoot  
Ratcliff

Scott  
Smith  
Stephenson  
Stoddard  
Taylor  
Whitmore

## Nays, 26.

Adams	Hale	Rainbow
Anderson	Haskell	Reed
Arney	Horchem	Rule
Broxam	Kimball	Schaffter
Byington	Kimberly	Shane
Coburn	LeCompte	Thompson
Evans	Newberry	Van Alstine
Fralley	Parker	White
Greenell	Price	

## Absent or not voting, 5.

Cessna	Holdoegel	Wilson
Foster	Kingland	

The amendment was lost.

Senator Proudfoot offered the following amendment and moved its adoption:

I move that Section three of Senate File No. 225 be amended by striking out all of Section 3, and substituting the following in lieu thereof:

Sec. 3. In any incorporated town or city in this state of not less than five hundred (500), nor more than five thousand (5,000) inhabitants according to the last census, including cities under special charter and cities under the commission form of government, the council of such incorporated town or city may, by ordinance, permit on Sunday, the operation of moving picture shows and baseball games at which an admission fee is charged and provide by ordinance for the proper regulation and government of such amusements and what license, if any, shall be imposed.

And further move that the bill be further amended, by striking out all of Sections two (2) and four (4).

On the question, "Shall the amendment be adopted?" the vote was:

## Ayes, 10.

Balkema	Meredith	Proudfoot
Ball	Nelson	Scott
Edwards	Pitt	Smith
LeCompte		

## Nays, 35.

Adams	Buser	Foskett
Anderson	Byington	Fralley
Arney	Coburn	Greenell
Brookhart	Evans	Hale
Broxam	Fellows	Haskell

Holdcegel	Price	Stephenson
Horchem	Rainbow	Stoddard
Kimball	Ratcliff	Taylor
Kimberly	Reed	Thompson
Mitchell	Rule	Van Alstine
Newberry	Schaffter	Whitmore
Parker	Shane	

Absent or not voting, 5.

Cessna	Kingland	Wilson
Foster	White	

The amendment was lost.

On motion of Senator Newberry, Senate adjourned until 1:30 p. m.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 95, a bill for an act to legalize certain warrants of the City of Oelwein, Iowa.

Also:

Senate File No. 47, a bill for an act to amend Section Twenty-nine Hundred-a-six (2900-a-6) Supplement to the Code, 1913, and relating to compensation for surveyors surveying abandoned river channels, sand bars or islands.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 98, a bill for an act to legalize certain warrants of the City of Oelwein, Iowa.

Also:

Senate File No. 47, a bill for an act to amend Section Twenty-nine Hundred-a-six (2900-a-6) Supplement to the Code, 1913, and relating to compensation for surveyors surveying abandoned river channels, sand bars or islands.

EUGENE SCHAFFTER,  
*Chairman House Committee.*

WILL L. KING,  
*Chairman Senate Committee.*

Adopted.

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate in the presence of the Senate he had signed House Files Nos. 62, 70, 71 and 180, and Senate Files Nos. 47 and 98.

Senate resumed consideration of Senate File No. 225.

Senator Price offered the following amendments and moved their adoption:

I move to amend Senate File No. 225 by striking from line two in section three the words and figures "less than five hundred (500) nor"; and by striking from said section three in lines six and seven the words "by ordinance permit moving picture shows and baseball games at which an admission fee is charged on Sunday and" and by striking out the words "five thousand" in line two of section three and the figures "5000" in line three of section three and inserting in lieu thereof the words and figures "six thousand (6000)."

Also amend section five by striking out the words and figures "five thousand (5000)" in line two and inserting in lieu thereof the words and figures "six thousand (6000)."

The amendments were adopted.

Senator Schaffter offered the following amendments and moved their adoption:

I move to amend Senate File No. 225 in line 13 of Section 3, by striking out the words "the question of" and inserting in lieu thereof the words "an ordinance."

Also in line 17 by inserting after the words "in favor of" the following words, "the ordinance."

Also in line 20 by striking out the word "an" and inserting in lieu thereof the words "said proposed."

Also in line 16 by inserting after the word "Sunday" the following: "and providing regulations for the government thereof, and what, if any, license shall be imposed."

Also by striking out all of line 20 after the word "ordinauce," all of lines 21 and 22, and all of line 23 up to and including the word "Imposed."

The amendments were adopted.

Senator Parker 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 vote was:

Ayes, 33.

Adams	Greenell	Price
Anderson	Hale	Rainbow
Arney	Haskell	Reed
Broxam	Holdoegel	Rule
Buser	Horchem	Schaffter
Byington	Kimball	Scott
Coburn	Kimberly	Shane
Edwards	LeCompte	Stoddard
Evans	Mitchell	Thompson
Foskett	Newberry	Van Alstine
Frailey	Parker	White

Nays, 13.

Balkema	Nelson	Smith
Ball	Pitt	Stephenson
Brookhart	Proudfoot	Taylor
Fellows	Ratcliff	Whitmore
Meredith		

Absent or not voting, 4.

Cessna	Kingland	Wilson
Foster		

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. 248, a bill for an act to amend the law as it appears in Section twenty-eight hundred twenty-d-4 (2820-d4), Supplement to the Code, 1913, relating to the vote required to authorize the issuance of bonds and to legalize elections heretofore held in School Districts, where



a majority of the votes cast at such elections was in favor of issuing bonds and to legalize such bonds.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 amend the law as it appears in Section two thousand six hundred and six (2606), Supplemental Supplement to the Code, 1915, relating to rules of admission to the Iowa Soldiers' Home.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 paragraph three (3), section thirteen hundred and four (1304), Code 1897, relating to the assessment of taxes.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 232, a bill for an act to provide free hospital service and medical and surgical treatment for persons who are afflicted with a malady or deformity which can probably be remedied by such service and treatment, and who are unable to pay for the same; providing for the expense thereof; and prescribing the jurisdiction of the district and superior courts in said cases.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 248, a bill for an act to amend the law as it appears in Section twenty-eight hundred twenty-d4 (2820-d4), Supplement to the Code, 1913, relating to the vote required to authorize the issuance of bonds and to legalize elections heretofore held in School Districts, where a majority of the votes cast at such elections was in favor of issuing bonds and to legalize such bonds.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 245, a bill for an act to amend the law as it appears in Section two thousand six hundred and six (2606) supplemental supplement to the Code, 1915, relating to rules of admission to the Iowa Soldiers Home.

Read first and second time and referred to committee on board of control.

House File No. 165, a bill for an act to amend the law as it appears in paragraph three (3), section thirteen hundred and four (1304) Code 1897, relating to the assessment of taxes.

Read first and second time and referred to committee on ways and means.

House File No. 232, a bill for an act to provide free hospital service and medical and surgical treatment for persons who are afflicted with a malady or deformity which can probably be remedied by such service and treatment, and who are unable to pay for the same; providing for the expense thereof; and prescribing the jurisdiction of the district and superior courts in said cases.

Read first and second time and referred to committee on educational institutions.

#### THIRD READING OF BILLS.

On motion of Senator Schaffter Senate File No. 124, a bill for an act to repeal the law as it appears in sections four hundred seventy-nine (479), four hundred ninety (490), four hundred ninety-five (495) and five hundred ten A (510-a) supplemental supplement to the code, 1915, and section one (1) of chapter four hundred twenty-six (426) of the acts of the Thirty-seventh General Assembly, and to enact substitutes in lieu thereof, relating to the duties and compensation of county officers, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments, found on page 673 of the Senate journal for February 22d, were adopted.

Senator Frailey offered the following amendment and moved its adoption:

Amend Senate File No. 124 by adding at the end of section 3 the following:

Provided, however, that in counties where a recorder's office is kept in two different places the county recorder shall receive five hundred (\$500) dollars in addition to the compensation as fixed by the above schedule in this act.

The amendment was adopted.

Senator Kimball moved that further consideration of Senate File No. 124 be postponed until a proposed bill relating to salaries of deputy county officers, to be presented by the committee on county and township affairs, could be considered in conjunction therewith.

Motion prevailed.

#### REPORT OF COMMITTEE.

Senator Proudfoot, from the committee on judiciary No. 2, submitted the following report after adjournment, requesting that it appear in the journal:

MR. PRESIDENT—Your committee on judiciary No. 2, to whom was referred House File No. 4, a bill for an act amending section 441 supplemental supplement to the code, 1915, relating to the publication of the proceedings of boards of supervisors in foreign language newspapers, and repealing section 549 of the 1913 supplement to the code relating to the designation of newspapers for the publication of legal notices, and enacting a substitute therefor, and providing for the publication of legal notices and proceedings exclusively in the English language and in newspapers published in the English language, beg leave to report they have had the same under consideration and recommend the same be amended by the adoption of the following substitute:

SECTION 1. That section four hundred forty-one (441) Supplemental Supplement to the code, 1915, as amended by chapter four hundred and eight (408) Acts of the Thirty-seventh General Assembly, be and the same is hereby amended by striking therefrom all of said section after the period in line forty-one thereof and inserting in lieu thereof the following: "If in any county the publishers of two or more newspapers, at least one of which by reason of its location and circulation, is entitled to be selected as a county official newspaper, have entered into an agreement to publish the official proceedings or have united in a request to have their publications selected for such purposes, and such agreement or request has been filed with the Board of Supervisors prior to the naming of the official newspaper, the Board of Supervisors shall designate each of them a county official paper for the publication of the pro-

ceedings of the Board, but the combined compensation of the papers so requesting or agreeing, added to that of the other official paper or papers, if any, shall not exceed the combined compensation allowed by law to two official papers in counties having a population below fifteen thousand, or to three official papers in counties having a population of fifteen thousand or more."

SEC. 2. That section five hundred forty-nine (549) Supplement to the code, 1913, is hereby repealed and the following is hereby enacted in lieu thereof. "The Clerk of the District Court, Sheriff, Auditor, Treasurer and Recorder shall each designate the newspapers in which the notices pertaining to his office shall be published and the Board of Supervisors shall designate the papers in which all other county notices shall be published. All notices above designated, all legal notices and notices required by law or by ordinance of any city or town or special charter city, and cities operating under commission plan and all proceedings of the Board of Supervisors or of any city or town council or special charter city, and all other proceedings required by law to be published, shall be published only in the English language, and in newspapers published wholly in the English language, but nothing herein shall be construed to affect any action of any Board of Supervisors or any city or town council or special charter city and cities operating under commission plan having named papers of a foreign language as official papers for publishing proceedings of the Board or of the city or town council or special charter city or cities operating under commission plan proceedings for the year 1919."

SEC. 3. This act being of immediate importance shall be in full force from and after its publication in the Des Moines Register and the Des Moines Capital, newspapers published in Des Moines, Iowa.

On motion of Senator Proudfoot, Senate adjourned until 9:00 a. m. Tuesday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 25, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. A. B. Leamer, pastor of the St. Johns Lutheran church, Des Moines.

## PETITIONS AND MEMORIALS.

Senator Kimball presented a remonstrance of citizens of Pottawattamie county against bond issue for paved roads.

Referred to committee on highways.

Senator Wilson presented a petition of citizens of Appanoose county favoring the cigarette bill.

Referred to committee on public health.

## INTRODUCTION OF BILLS.

By Senator Smith, Senate File No. 295, a bill for an act to establish three additional normal schools; the location to be determined by the State Board of Education, and making appropriations for purchase of sites, erection of buildings and support of schools.

Read first and second time and referred to committee on educational institutions.

By Senator Smith, Senate File No. 296, a bill for an act to amend section twenty-seven hundred ninety-four-a (2794-a) of the supplemental supplement to the code, 1915, as amended by chapter 432 of the Acts of the Thirty-seventh General Assembly, relating to consolidated school districts.

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

By Senator Haskell, Senate File No. 297, a bill for an act to

amend section Four Hundred Sixty-nine (469), Supplement to the Code, 1913, relating to the compensation and mileage allowed to Boards of Supervisors.

Read first and second time and referred to committee on county and township affairs.

By Senator Horchem, Senate File No. 298, a bill for an act to repeal Chapter 318 of the Acts of the 37th General Assembly, to Provide for the Appointment of the Superintendent of Public Instruction by the State Board of Education, and to Provide for the Fixing of the Salary of the Superintendent of Public Instruction by the State Board of Education.

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

By Senator Stoddard, Senate File No. 299, a bill for an act to repeal the law as it appears in Section Two Thousand Nine Hundred Ninety Two (2992) of the Code, and to enact a substitute therefor giving the landlord a lien upon the crops and personal property of the tenant.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Fellows, Senate File No. 300, a bill for an act to repeal the law as it appears in section twenty-seven hundred seventy-eight-b (2778-b), Supplement to the Code, 1913, and to amend the law as it appears in section twenty-seven hundred seventy-eight-c (2778-c), Supplement to the Code, 1913, and to repeal the law as it appears in section twenty-seven hundred seventy-eight-a (2778-a). Supplement to the Code, 1913, relating to minimum salaries for teachers and to enact a substitute therefor.

Read first and second time and referred to committee on schools

By Senator Whitmore, Senate File No. 301, a bill for an act to amend Section Fifteen Hundred Seventy-one-m-Eighteen (1571-m 18) of the Supplement to the Code, 1913, Relating to Operation of Motor Vehicles.

Read first and second time and referred to committee on motor vehicles.

By Senator Rule, Senate File No. 302, a bill for an act to amend section Two hundred Thirty Five (235) of the code relating to special adjournment of the District Court.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Rule, Senate File 303, a bill for an act to amend sections sixteen hundred ten (1610) and sixteen hundred eighteen (1618) of the supplement to the code, 1913, relating to the duration of a corporation and fees for incorporating.

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

By Senator Rainbow, Senate File No 304, a bill for an act to empower the board of supervisors to order the destruction of certain papers and records.

Read first and second time and referred to committee on county and township affairs.

By Senator Parker, Senate File No. 305, a bill for an act to amend the law as it appears in Section two hundred ninety-eight (298), four hundred eighty-one (481), and four hundred ninety-one (491), Supplemental Supplement to the Code, 1915, relating to the appointment and compensation of deputy county officers.

Read first and second time and referred to committee on county and township affairs.

By Senator Thompson, Senate File No. 306, a bill for an act providing for an absolute and incontestible title to real estate, specifying the exceptions thereto, and fixing a method for preserving rights claimed in real estate by notice.

Read first and second time and referred to committee on judiciary No. 2.

#### BILLS SIGNED BY THE GOVERNOR.

A communication was received from the governor announcing that he had on February 15th signed the following bills:

Senate Files 52, 109 and 17.

## REPORTS OF COMMITTEES.

Senator Whitmore, from the committee on elections, submitted the following report:

MR. PRESIDENT—Your committee on elections, to whom was referred Senate File No. 155, a bill for an act to repeal the law as it appears in sections four hundred ten (410), four hundred eleven (411), and four hundred sixteen (416), supplement to the code, 1913, and in sections four hundred seventeen (417), and four hundred eighteen (418), of the code, and to enact a substitute therefor relating to the elections, duties and terms of office of county supervisors, beg leave to report they have had the same under consideration and recommend the same do pass.

CHESTER W. WHITMORE, *Chairman.*

Ordered passed on file.

Senator Ball, from the committee on public health, submitted the following report:

MR. PRESIDENT—Your committee on public health, to whom was referred Senate File No. 240, a bill for an act to amend the law as it appears in section twenty-four hundred sixteen of the code, 1897, relating to the disposition of liquors seized and condemned to forfeiture by the court, 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:

Amend by adding as section 2 the following:

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 The Des Moines Register, newspapers published in the city of Des Moines, Iowa.

GEO. W. BALL, *Chairman.*

Ordered passed on file.

On motion of Senator Frailey rule 33 was suspended for the day.

## THIRD READING OF BILLS.

On motion of Senator Arney, House File No. 260, a bill for an act to amend chapter ninety (90) of the Acts of the Thirty-seventh General Assembly, in reference to the organization of farm improvement associations, a committee bill, was taken up and considered.

Senator Smith moved that this bill be made a special order for Friday, March 7th, at 11:30.

The motion was lost.



Senator Evans offered the following amendment and moved its adoption:

Strike out the word "shall" in the eighth line of section 1 and substitute in lieu thereof the word "may".

Senator Proudfoot was called to the chair at 10:10 a. m.

Senator White moved the previous question on the pending amendment, which motion prevailed, and the previous question was ordered.

Senator Price raised the point of order that discussion was not now in order, the debate having been closed.

The point of order was sustained.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 17.

Ball	Kingland	Rainbow
Buser	LeCompte	Smith
Cessna	Mitchell	Taylor
Evans	Nelson	Whitmore
Fellows	Pitt	Wilson
Haskell	Proudfoot	

Nays, 32.

Adams	Greenell	Reed
Anderson	Hale	Rule
Arney	Holdoegel	Schaffer
Balkema	Horchem	Scott
Brookhart	Kimball	Shane
Broxam	Kimberly	Stephenson
Byington	Meredith	Stoddard
Coburn	Newberry	Thompson
Edwards	Parker	Van Alstine
Foskett	Price	White
Fralley	Ratcliff	

Absent or not voting, 1.

Foster

The amendment was lost.

President Moore resumed the chair at 11:15 a. m.

Senator Whitmore offered the following amendment and moved its adoption:

Amend House File No. 260 by striking out of line 9 the words "the general fund of" and inserting in lieu thereof the following: "proceeds of a special tax levy to be levied only upon farm lands situated in"

Senator Hale moved the previous question, which motion prevailed and the previous question was ordered.

The amendment was lost.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 42.

Adams	Frailey	Ratcliff
Anderson	Greenell	Reed
Arney	Hale	Rule
Balkema	Holdoegel	Schaffter
Ball	Horchem	Scott
Brookhart	Kimball	Shane
Broxam	Kimberly	Stephenson
Buser	LeCompte	Stoddard
Byington	Meredith	Taylor
Cessna	Mitchell	Thompson
Coburn	Newberry	Van Alstine
Edwards	Parker	White
Fellows	Price	Whitmore
Foskett	Rainbow	Wilson

Nays, 7.

Evans	Nelson	Prudfoot
Haskell	Pitt	Smith
Kingland		

Absent or not voting, 1.

Foster

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 vote by which House File No. 260 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Price, Senate File No. 41, a bill for an act

to regulate the practice of chiropractic and to provide for the examination and license of chiropractors and to provide for the maintenance of the board of examiners, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Price offered the following amendment and moved its adoption:

I move to amend Section one (1) of Senate File No. 41 as follows:

By adding the words "of chiropractic" following the word "practice" in line six (6) of said section.

The amendment was adopted.

Further consideration postponed.

#### REPORT OF COMMITTEE.

Senator Proudfoot, from the committee on judiciary No. 2, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 2, to whom was referred Senate File No. 171, a bill for an act to legalize the notice of incorporation of the S. T. Sinnett Company, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on Judiciary No. 2 to whom was referred Senate File No. 131, a bill for an act to repeal section 1641-r3 of the supplemental supplement to the code, 1915, enacting a substitute therefor, amending section 1641-r11 of the supplemental supplement to the code, 1915, and amending section 1641-r13 of the supplemental supplement to the code, 1915, relating to filing and recording articles of incorporation, etc., 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:

By striking out the word "eighth" in the 4th line of section 2 and inserting in lieu thereof the word "seventh".

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on Judiciary No. 2 to whom was referred Senate File No. 128, a bill for an act to amend chapter 5 of title twenty-one (21) to the code, relating to the disputed boundaries and the admissibility of evidence to establish the same, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report was adopted and the bill indefinitely postponed.

Also:

Your committee on Judiciary No. 2 to whom was referred Senate File No. 236, a bill for an act to amend the law as it appears in section 2820-d-4 supplement to the code, 1913, relating to the vote required to authorize the issuance of bonds and to legalize elections heretofore held in school districts, etc., beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on Judiciary No. 2 to whom was referred Senate File No. 6, a bill for an act to legalize certain certificates of incorporation of corporations for pecuniary profit heretofore issued by the secretary of state, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report was adopted and the bill indefinitely postponed.

Also:

Your committee on Judiciary No. 2 to whom was referred Senate File No. 230, a bill for an act providing for the appointment of a commission to investigate and report upon the subject of reformed judicature, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report was adopted and the bill indefinitely postponed.

Also:

Your committee on Judiciary No. 2 to whom was referred Senate File No. 257, a bill for an act to amend chapter 5, title 16, of the code relating to the guardianship of persons and property, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report was adopted and the bill indefinitely postponed.

Also:

Your committee on Judiciary No. 2 to whom was referred Senate File No. 274, a bill for an act to amend section 1989-a-26 and section 1989-a-27 of the supplement to the code, 1913, relating to the length of time for which bonds may be issued and payment made, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on Judiciary No. 2 to whom was referred Senate File No. 180, a bill for an act to legalize articles of adoption executed by the Hillcrest Deaconess Home and Baby Fold, located at Dubuque, Iowa, and to legalize the proceedings of said institution relative to the adoption of minors, beg leave to report they have had the same under consideration and return the same without recommendation.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on Judiciary No. 2 to whom was referred House File No. 204, a bill for an act to legalize articles of adoption executed by the Hillcrest Deaconess Home and Baby Fold, located at Dubuque, Iowa, and to legalize the proceedings of said institution relative to the adoption of minors, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on Judiciary No. 2 to whom was referred House File No. 37, a bill for an act to amend article four of section 4599 of the

code relating to the fees of constables, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report was adopted and the bill indefinitely postponed.

Also:

Your committee on Judiciary No. 2 to whom was referred House File No. 132, a bill for an act to amend section 1989-a-37 of the supplement to the code, 1913, as amended by chapter 344 of the 37th General Assembly, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on Judiciary No. 2 to whom was referred House File No. 121, a bill for an act to amend section 4011 of the code, relating to the exemption of personal earnings, 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:

By striking out the last six lines and inserting in lieu thereof after the word "following": "Provided, however, that where the party in whose favor the order, decree, or judgment was rendered has not remarried, personal earnings of the debtor shall not be exempt from any judgment, order, or decree hereafter rendered in this state for temporary alimony or from any judgment, order or decree hereafter rendered for the support of his minor child or children".

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on Judiciary No. 2 to whom was referred House File No. 119, a bill for an act to amend section 3104 of the code, relative to the filing of claim for labor and material used in the construction of public buildings and fixing the time within which action may be brought to enforce the same, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on Judiciary No. 2 to whom was referred House File No. 154, a bill for an act to amend section 3756 of the code, relative to new trial, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report was adopted and the bill indefinitely postponed.

Also:

Your committee on Judiciary No. 2 to whom was referred House File No. 94, a bill for an act to forbid the crying of sales of property by certain nonresidents, making the violation thereof unlawful, and providing a penalty, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on Judiciary No. 2 to whom was referred House File No. 4, a bill for an act amending section four hundred forty-one (441), supplemental supplement to the code, 1915, as amended by chapter four hundred eight (408), acts of the Thirty-seventh General Assembly, relating to the publication of the proceedings of boards of supervisors in foreign language newspapers, and repealing section five hundred forty-nine (549), supplement to the code, 1913, relating to the designation of newspapers for the publication of legal notices, and enacting a substitute therefor, and providing for the publication of legal notices and proceedings exclusively in the English language and in newspapers published in the English language, 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 all after the enacting clause and insert in lieu thereof the following:

SECTION 1. That section four hundred forty-one (441) Supplemental Supplement to the code, 1915, as amended by chapter four hundred and eight (408) Acts of the Thirty-seventh General Assembly, be and the same is hereby amended by striking therefrom all of said section after the period in line forty-one thereof and inserting in lieu thereof the following: "If in any county the publishers of two or more newspapers, at least one of which by reason of its location and circulation, is entitled to be selected as a county official newspaper, have entered into an agreement to publish the official proceedings or have united in a request to have their publications selected for such purposes, and such agree-

ment or request has been filed with the Board of Supervisors prior to the naming of the official newspaper, the Board of Supervisors shall designate each of them a county official paper for the publication of the proceedings of the Board, but the combined compensation of the papers so requesting or agreeing, added to that of the other official paper or papers, if any, shall not exceed the combined compensation allowed by law to two official papers in counties having a population below fifteen thousand, or to three official papers in counties having a population of fifteen thousand or more".

Sec. 2. That section five hundred forty-nine (549) Supplement to the code, 1913, is hereby repealed and the following is hereby enacted in lieu thereof: "The Clerk of the District Court, Sheriff, Auditor, Treasurer and Recorder shall each designate the newspapers in which the notices pertaining to his office shall be published and the Board of Supervisors shall designate the papers in which all other county notices shall be published. All notices above designated, all legal notices and notices required by law or by ordinance of any city or town or special charter city, and cities operating under commission plan and all proceedings of the Board of Supervisors or of any city or town council or special charter city, and all other proceedings required by law to be published, shall be published only in the English language, and in newspapers published wholly in the English language, but nothing herein shall be construed to affect any action of any Board of Supervisors or any city or town council or special charter city or cities operating under commission plan having named papers of a foreign language as official papers for publishing proceedings of the Board or of the city or town council or special charter city or cities operating under commission plan proceedings for the year 1919".

Sec. 3. This act being deemed of immediate importance shall be in full force from and after its publication in the Des Moines Register and the Des Moines Capital, newspapers published in Des Moines, Iowa.

A. V. PROUDFOOT, *Chairman*.

Ordered passed on file.

Senator Foskett moved that the Senate adjourn until 1:15 today.

Senator Frailey moved to amend by making the time 1:30, which motion prevailed.

Senate adjourned until 1:30 today.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

Consideration of Senate File No. 41 was resumed.



Senator Stoddard offered the following amendment and moved its adoption:

I move to amend Senate File No. 41 by striking out all of section seven (7), down to and including the word "examination" in line twenty (20), and substituting in lieu thereof the following:

"Sec. 7. Any person who has been bona fide, regularly and continuously engaged in the practice of chiropractic in the state of Iowa on the passage of this act and who shall have submitted to the board of examiners proof of good moral character and evidence that he possesses the degree of knowledge, and skill required in section one (1) hereof, shall be granted a license without examination; and any other person who is in actual practice in the state of Iowa at this time and of good moral character shall receive a license to practice chiropractic in this state after having passed a satisfactory examination in anatomy, physiology, symptomatology and diagnosis, histology, pathology, hygiene and sanitation, and the principles and practice of chiropractic, such license shall be issued."

The amendment was adopted.

Senator Frailey offered the following amendment and moved its adoption:

I move to amend section one (1) of Senate File No. 41 by adding at the end of said section one (1) the following:

"Provided that after January first, 1921, every such applicant, for examination, shall submit to the examining board herein constituted, satisfactory proof of his possessing a preliminary education equal to that of a standard high school."

The amendment was adopted.

Senator Balkema offered the following amendment and moved its adoption:

Strike out all of section three (3), and insert in lieu thereof the following as section three (3):

"Sec. 3. For the purpose of examining applicants for license as chiropractors, there is hereby added an additional member to the State Board of Health as created by section twenty-five hundred sixty-four (2564), supplement to the code, 1913, who shall be a fully equipped and qualified chiropractor."

Senator Schaffter moved the previous question on the pending amendment and on the bill, which motion prevailed and the previous question was ordered.

The amendment was adopted.

Senator Price 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 vote was:

Ayes, 29.

Anderson	Horchem	Rainbow
Arney	Kimball	Ratcliff
Ball	Kimberly	Reed
Cessna	Kingland	Rule
Coburn	Mitchell	Scott
Edwards	Nelson	Shane
Frailey	Newberry	Stephenson
Hale	Pitt	Stoddard
Haskell	Price	Van Alstine
Holdoegel	Proudfoot	

Nays, 17.

Adams	Fellows	Smith
Balkema	Foskett	Thompson
Broxam	Greenell	White
Buser	LeCompte	Whitmore
Byington	Meredith	Wilson
Evans	Schaffter	

Absent or not voting, 4.

Brookhart	Parker	Taylor
Foster		

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

LEAVE OF ABSENCE.

On request of Senator Stephenson leave of absence was granted Senator Brookhart for the afternoon.

COMMUNICATION FROM SENATOR FOSTER.

February 25th, 1919.

LIEUTENANT-GOVERNOR MOORE, State House.

DEAR GOVERNOR MOORE—I wish to express my appreciation and thanks for the beautiful floral remembrance which you and the senators so kindly sent me yesterday. These flowers bring into my room a real breath of spring and are redolent with the spirit of friendship which is the greatest reward for senatorial duties.

I had a pretty good day yesterday and feel stronger than when you were here in the morning.

Again thanking you for your kind remembrance, I am,

Very truly yours,

JOHN W. FOSTER.

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

Senate proceeded to the House under the direction of the sergeant-at-arms.

#### JOINT CONVENTION.

Pursuant to concurrent resolution duly adopted, the joint session was called to order, Hon. Ernest R. Moore, president of the Senate, presiding.

President Moore announced a quorum present.

Senator Evans moved that a committee of three be appointed to notify Dr. W. A. Evans that the joint session was ready to receive him. Motion prevailed and the president appointed as such committee, Senator Evans and Representatives Neff of Pottawattamie and Smith of Clinton.

Dr. W. A. Evans, health editor of the Chicago Tribune, was escorted to the speaker's desk and addressed the joint assembly on matters pertaining to public health.

Senator Ball moved that the joint assembly show its appreciation of the address of Dr. Evans by a rising vote.

Motion prevailed.

Minutes of the joint session were read and approved.

Senator Taylor moved that the joint session be now dissolved.

Motion prevailed.

#### SENATE RESUMED SESSION.

Senate returned to the Senate chamber and resumed regular session.

## THIRD READING OF BILLS.

On motion of Senator Byington, Senate File No. 58, a bill for an act to exclude aliens from employment as teachers in the public schools and in state institutions, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Byington offered the following amendment to the pending amendment, filed by him and found on pages 630 and 631 of the Senate journal:

Amend by striking out of section one, line eleven the word "and" and substituting therefor "or of the Board of Control of State Institutions or".

By adding in line thirteen of section one after the word "to" the words "apply to".

By striking out of line three of section two the word "their" and inserting the word "its".

By striking out of line six of section four the word "meet" and inserting the word "meets".

The amendment to the amendment was adopted.

Senator Evans offered the following amendment and moved its adoption:

I move to amend section two of the amendment to Senate File No. 58 by striking out the period at the end of the said section and adding thereto, "Sweden, Norway, Denmark, Holland and all neutral countries."

Senator Schaffter offered an amendment.

Senator Evans raised the point of order that the amendment offered was out of order as there was already pending an amendment to an amendment.

The president held the point of order well taken.

The amendment offered by Senator Evans was lost.

Senator Balkema offered the following amendment and moved its adoption:

Strike out of section two all after the word "aliens" and add there-after a period.

Senator Kimball offered the following as a substitute for the pending amendment and moved its adoption:

Amend by striking out all after the word "aliens" in section two and substitute therefor the following:

"providing the country of such alien has not been at war with the United States within ten years prior to such employment."

The substitute amendment was lost.

The amendment offered by Senator Balkema was lost.

Senator Schaffter offered the following amendment and moved its adoption:

Amend by striking out section two, and by renumbering the succeeding sections.

On the adoption of the amendment a roll call was demanded. Senator Whitmore invoked rule 8.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 30.

Adams	Greenell	Ratcliff
Arney	Hale	Reed
Balkema	Kimball	Rule
Ball	Kimberly	Schaffter
Broxam	Mitchell	Scott
Buser	Nelson	Shane
Cessna	Parker	Smith
Edwards	Pitt	Stoddard
Fellows	Price	White
Frailey	Rainbow	Wilson

Nays, 15.

Anderson	Haskell	Stephenson
Byington	Holdoegel	Taylor
Coburn	Meredith	Thompson
Evans	Newberry	Van Alstine
Foskett	Proudfoot	Whitmore

Absent or not voting, 5.

Brookhart	Horchem	LeCompte
Poster	Kingland	

The amendment was adopted.

The amendment filed by Senator Byington, as amended, was adopted as follows:

SECTION 1. That it shall be unlawful for any board, any officer or other person acting for the state, or for any county, township, city, village, district, or other municipality in the state, to employ any person or persons, other than native born or naturalized citizens or those who have in good faith declared their intentions to become citizens of the United States, (except those of such age that they can not declare their intentions to become citizens) when such employes are to be paid, in whole or in part, directly or indirectly, out of any funds raised by taxation, where such person or persons are employed as members of the instructional staff in the institutions under the control of the Iowa State Board of Education or of the Board of Control of State Institutions or the public schools of the state or any public institutions of the state. But nothing in this act shall be construed to apply to casual lecturers or entertainers.

SEC. 2. The State Board of Educational Examiners shall from the taking effect of this act include in every teacher's certificate issued by said Board a statement that the person to whom such certificate is issued has met the citizenship requirements provided herein.

SEC. 3. It shall be the duty of any person or persons so employing those whose services are to be paid for, in whole or in part, directly or indirectly, out of any funds raised by taxation, to file with the treasurer or disbursing officer of such funds a certificate showing to the best of his knowledge and belief that the person so employed, and on whose account payment is to be made out of such public funds, meets the requirements of this act as to citizenship.

SEC. 4. Any treasurer or disbursing officer who shall knowingly or wilfully pay out any of the funds in his hands, raised by taxation, to any such person who does not meet the requirements of this act, for labor or any other service, contemplated by this act shall be liable to the municipality to which such funds belong for the amount so paid, to be recovered in any court of competent jurisdiction. Provided, that when such payment is made on the requisite certificate of the employer no liability shall attach to such treasurer or disbursing officer.

SEC. 5. Any employer, or other person, who shall knowingly or negligently make false certificate required under this act that said employes are native or naturalized citizens, or have declared their intentions to become citizens for the purpose of drawing such funds, or any part thereof, shall be personally liable to the municipality to which such funds belong for the amount so drawn, and any alien disqualified from employment under this act who falsely represents that he is a native or naturalized citizen, or has declared his intention to become a citizen shall forfeit the amount of all wages so earned.

Senator Byington moved that the rules be suspended, the bill be

considered engrossed, and read a third time now, which notion prevailed, and the bill was read a third time.

By unanimous consent, on request of Senator Balkema, the words "except as provided in section two of this act" were stricken out of lines 14 and 15 of section 1.

On the question, "Shall the bill pass?" the vote was:

Ayes, 29.

Adams	Frailey	Rule
Arney	Haskell	Schaffter
Balkema	Holdoegel	Scott
Ball	Kimball	Shane
Broxam	Meredith	Smith
Buser	Nelson	Stephenson
Byington	Parker	Stoddard
Cessna	Pitt	Taylor
Coburn	Proudfoot	White
Edwards	Ratcliff	

Nays, 15.

Anderson	Hale	Rainbow
Evans	Kimberly	Reed
Fellows	Mitchell	Thompson
Foskett	Newberry	Whitmore
Greenell	Price	Wilson

Absent or not voting, 6.

Brookhart	Horchem	LeCompte
Foster	Kingland	Van Alstine

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 Balkema, Senate File No. 307, a bill for an act providing for the eradication of tuberculosis in cattle and swine, and providing for the testing of animals for tuberculosis by the tuberculin test, and keeping all records thereof, providing for the issuance of certification in connection therewith, to provide for the condemnation of animals afflicted with tuberculosis, and to compensate the owners therefor, to control the use and sale of tuberculin, providing for disinfecting premises where tuberculosis has existed, to control the movements of infected animals, to provide for testers and appraisers, and their compensation, to provide for restrictions as to

breeding animals afflicted with tuberculosis and the branding of animals tested, to provide for brands and register of the same, and prohibit the use of such brands except as provided in this act. Providing for the appropriation of fifty thousand dollars (\$50,000.00) for the purpose of carrying out the provisions of this act, and to provide for a fund for the detection and eradication of tuberculosis in cattle and hogs, by levying and collecting a fee annually upon all cattle and hogs as returned by the assessors, and providing for punishment of violations of any provisions of this act.

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

By Senator Whitmore, Senate File No. 308, a bill for an act to repeal section two hundred ninety-eight (298), supplemental supplement to the code, 1915, as amended by chapter seventy-seven (77), of the Acts of the Thirty-seventh General Assembly; and section four hundred eighty-one (481), supplemental supplement to the code, 1915, as amended by chapter seventy-seven (77) of the Acts of the Thirty-seventh General Assembly; and section four hundred ninety-one (491), supplemental supplement to the code, 1915, as amended by chapter seventy-seven (77) of the Acts of the Thirty-seventh General Assembly; and section four hundred ninety-six (496), supplement to the code, 1913, as amended by chapter seventy-seven (77) of the Acts of the Thirty-seventh General Assembly; and section five hundred ten-b (510-b), supplemental supplement to the code, 1915, and enacting substitutes therefor, relating to the appointment and compensation of deputy county officers.

Read first and second time and referred to committee on county and township affairs.

By Senator Ratcliff, Senate File No. 309, a bill for an act to enable soldiers of the 168th Infantry, 42nd Division, U. S. Army, who have been invalided home to participate in the contemplated receptions to the said Division, and such reviews and receptions upon return to United States by said Division, and to appropriate money therefor and provide for disbursement thereof.

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



By Senator Ratcliff, Senate File No. 310, a bill for an act to indemnify E. L. Logan, Oscar Buchanan, Charley Falk, Thos. Ogden, E. H. Copenhaver, C. E. Henderson, G. G. Silkett, and J. N. Me-whirter, for loss sustained by reason of condemnation and destruction of certain cows by the State of Iowa alleged to have been infected with Tuberculosis, which cows were allowed to enter State of Iowa and sold as being free from disease.

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

By Senator Van Alstine, Senate File No. 311, a bill for an act to compensate John M. Thelen of Buena Vista County, Iowa, for loss of a certain horse slaughtered by the state authorities on suspicion of being affected with glanders.

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

#### 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. 217, a bill for an act to legalize a special election held in the city of Maquoketa, Jackson County, Iowa.

#### HOUSE AMENDMENT.

Amend by striking from section 2 the words "Publication Clause."

W. C. RAMSAY, *Chief Clerk.*

Also:

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 Joint Resolution No. 6, a bill for an act making available part of funds appropriated under chapter two hundred seven (207), Acts of the Thirty-seventh General Assembly, to meet deficiency in fund set apart in Senate Joint Resolution Number Thirteen (13), of the Thirty-seventh General Assembly and to maintain state-federal employment bureau.

## HOUSE AMENDMENT.

Amend by numbering section one, and add the following as section two:

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 Des Moines Register and the Des Moines Capital, newspapers published at Des Moines, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 86, a bill for an act to amend section two hundred fifty-four-a-eighteen (254-a-18) supplement to the code, 1913, as to the salaries of probation officers in counties of fifty thousand (50,000) or more in population.

## HOUSE AMENDMENT.

Amend the title to Senate File No. 86 by striking out the words and figures "fifty thousand (50,000)," and inserting in lieu thereof the words and figures "thirty-five thousand (35,000)."

By striking out all after the enacting clause and substituting in lieu thereof the following:

SECTION 1. That section two hundred fifty-four-a-eighteen (254-a-18), supplement to the code, 1913, be and the same is hereby amended by striking the word "fifty" from the fifth line and substituting in lieu thereof the words "thirty-five", and by striking from the eleventh line thereof the words "seventy-five" and substituting in lieu thereof the words, "one hundred and twenty-five".

W. C. RAMSAY, *Chief Clerk.*

## HOUSE AMENDMENT CONCURRED IN.

Senator Broxam called up Senate File No. 217 and moved that the Senate concur in the following House amendment:

Amend by striking from Section 2 the words "Publication Clause."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 42.

Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Broxam	Kimball	Scott
Buser	Kimberly	Shane
Byington	Mitchell	Smith
Coburn	Nelson	Stephenson
Edwards	Newberry	Stoddard
Evans	Parker	Thompson
Fellows	Pitt	Van Alstine
Foskett	Price	White
Fralley	Proudfoot	Whitmore
Greenell	Rainbow	Wilson

Nays, none.

Absent or not voting, 8.

Adams	Foster	Meredith
Brookhart	Kingland	Taylor
Cessna	LeCompte	

The House amendment having received a constitutional majority was declared to have been concurred in by the Senate.

#### MOTIONS TO RECONSIDER FILED.

I move to reconsider the vote by which Senate File No. 41 passed the Senate.

P. C. HOLDOEGEL.

I move to reconsider the vote by which Senate File No. 58 passed the Senate.

W. G. HASKELL.

I move to reconsider the vote by which the report of the committee on judiciary No. 2 was adopted, indefinitely postponing Senate File No. 128.

J. D. BUSER.

#### CORRECTION OF JOURNAL.

The journal of February 24th was corrected and approved.

Senator Whitmore moved that the Senate adjourn until 9:30 a. m. Wednesday.

Senator Anderson moved to amend by making the time 9:00 a. m.

The amendment prevailed and the Senate adjourned until 9:00 a. m. Wednesday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, FEBRUARY 26, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. James Perkins Burling, pastor of Greenwood church of Des Moines.

## LEAVE OF ABSENCE.

On request of Senator Schaffter leave of absence was granted Senator Kingland for the day.

On request of Senator Anderson leave of absence was granted Senator Frailey for the day.

On request of Senator Holdoegel leave of absence was granted Senator Brookhart for the day.

On request of Senator Greenell leave of absence was granted Senator Broxam for the day.

## PETITIONS AND MEMORIALS.

Senator Parker presented a petition of Local Union Nos. 1573 and 2470, United Mine Workers of America, favoring the housing bill.

Referred to the committee on cities and towns.

Senator Schaffter presented a petition of the Eldora Commercial League favoring permanent paved roads.

Referred to the committee on highways.

Senator Buser presented a remonstrance of citizens of Louisa County against bond issue for paved roads.

Referred to the committee on highways.

Senator Ball presented a remonstrance of citizens of Jefferson County against bond issue for paved roads.

Referred to the committee on highways.

#### INTRODUCTION OF BILLS.

By Senator Anderson, Senate File No. 312, a bill for an act to amend sections sixteen hundred fifty-seven-n (1657-n), sixteen hundred fifty-seven-o (1657-o), sixteen hundred fifty-seven-p (1657-p) and sixteen hundred fifty-seven-r (1657-r), supplement to the code 1913, relating to the compensation of the officers and members of the state board of agriculture and date of publishing premium list.

Read first and second time and referred to committee on departmental affairs.

By Senator Greenell, Senate File No. 313, a bill for an act to promote the welfare of the state and the interests of the school teachers of Iowa by creating a Teachers' Welfare Fund out of which the teachers of Iowa who come within the provisions of this act may be paid a stipulated sum upon their retirement from the teaching profession; providing for the creation and maintenance of such fund by the appropriation of public funds, and otherwise; and for the investment, conservation and handling of same; specifying the terms, conditions and requirements under which teachers shall be entitled to payments out of such fund, and the manner of arriving at the amount of such payments; providing for the establishment of a Commission, and clothing it with power to administer such fund and carry out the provisions of this act.

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

By Senator Horchem, Senate File No. 314, a bill for an act to empower school boards, under stated conditions, to purchase or lease for stated educational purposes tracts of land and to improve the same for the purpose of establishing thereon summer schools for children who desire to continue their studies in useful pursuits throughout the year, and to define the purposes, functions and the objects of such schools.

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

By Senator Horchem, Senate File No. 315, a bill for an act to encourage the establishment and maintenance, in cities having a population of twenty thousand (20,000) or more, of educational and sociological activities organized for the purpose of providing agricultural training work and recreation in wholesome localities for school children of the said cities during the whole year, and to enable the school board of such cities to cooperate with such enterprise, and to provide the conditions under which public school funds may be so employed.

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

By Senators Kimberly and Horchem, Senate File No. 316, a bill for an act to amend the law as it appears in Chapter 26, Section 1, Acts of the 37th General Assembly, relating to the acquisition of school house sites.

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

By Senator Adams, Senate File No. 317, a bill for an act authorizing the State of Iowa to improve a short stretch of highway, approximately a half mile long, extending through State Property along the west shore of Spirit Lake, and appropriating the sum of twelve thousand (\$12,000) dollars, or so much thereof as may be necessary for the making of such improvements.

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

By Senator Rainbow, Senate File No. 318, a bill for an act to amend the law as it appears in chapter one hundred ninety-one (191) of the acts of the thirty-seventh (37) general assembly, relating to exemption from taxation of property of soldiers and sailors.

Read first and second time and referred to committee on military affairs.

By Senator Thompson, Senate File No. 319, a bill for an act to punish a fraudulent sale and conveyance of land or an interest therein, and providing the penalty for a violation thereof.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Thompson Senate File No. 320, a bill for an act to amend the law as it appears in section one thousand eight hundred and eighty-nine-d (1889-d) of the supplement to the code, 1913, relating to powers conferred upon trust companies, state and savings banks.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Pitt, Senate File No. 321, a bill for an act to amend section five thousand sixty-seven-a (5067-a) of the Supplement to the Code, 1913, relating to combinations, pools and trusts, and exempting labor unions from the operation of said section.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Parker, Senate File No. 322, a bill for an act to empower and authorize the grading, paving and curbing of certain streets and highways by the joint action of counties, cities and towns.

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. 65, a bill for an act to amend chapter three hundred thirty-two (332) of the Acts of the Thirty-seventh General Assembly, relating to the purchase of real estate for county purposes.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 repeal section twenty-five hundred fourteen-h (2514-h), section twenty-five hundred fourteen-m (2514-m), section twenty-five hundred fourteen-q (2514-q), section twenty-five hundred fourteen-s (2514-s), and section twenty-five hundred fourteen-t (2514-t), of the supplement to the code, 1913, and to enact sub-

stitutes therefor; also to amend section twenty-five hundred fourteen-u (2514-u) and section twenty-five hundred fourteen-w (2514-w) of the supplement to the code, 1913, relating to the inspection of hotels and providing for the licensing thereof.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 168, a bill for an act to amend the law as it appears in section six hundred and ninety-four-c-1 (694-c-1) supplemental supplement to the code, 1915, relating to municipal courts.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 as it appears in section two thousand eight hundred thirty-one (2831) supplement to the code, 1913; and section two thousand eight hundred thirty-three (2833) of the code; and section one thousand seventy-two (1072) supplement to the code, 1913, relating to county board of education.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 65, a bill for an act to amend Chapter Three Hundred Thirty-two (332) of the acts of the Thirty-seventh General Assembly relating to the purchase of real estate for county purposes.

Read first and second time and referred to committee on county and township affairs.

House File No. 168, a bill for an act to amend the law as it appears in section six hundred and ninety-four-C-1 (694-C-1), supplemental supplement to the Code, 1915, relating to Municipal Courts.

Read first and second time and referred to committee on judiciary No. 1.



House File No. 255, a bill for an act to repeal section twenty-five hundred fourteen-h (2514-h), section twenty-five hundred fourteen-m (2514-m), section twenty-five hundred fourteen-q (2514-q), section twenty-five hundred fourteen-s (2514-s), and section twenty-five hundred fourteen-t (2514-t), of the Supplement to the Code, 1913, and to enact substitutes therefor; also to amend section twenty-five hundred fourteen-u (2514-u), and section twenty-five hundred fourteen-w (2514-w), of the Supplement to the Code, 1913, relating to the inspection of hotels and providing for the licensing thereof.

Read first and second time and referred to committee on public health.

House File No. 302, a bill for an act to amend the law as it appears in section two thousand eight hundred thirty-one (2831) supplement to the Code 1913; and section two thousand eight hundred thirty-three (2833) of the Code; and section one thousand seventy-two (1072) supplement to the Code 1913, relating to county board of education.

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

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 the following bill:

House File No. 141, a bill for an act to amend the law as it appears in sections twenty-three hundred sixty (2360), twenty-three hundred sixty-two (2362), twenty-three hundred sixty-three (2363), twenty-three hundred sixty-nine (2369) and twenty-three hundred seventy (2370) of the code, relating to partition fences.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

On motion of Senator Greenell, rule 33 was suspended for the day.

## HOUSE AMENDMENTS CONCURRED IN.

Senator Foskett called up Senate Joint Resolution No. 6 and moved that the Senate concur in the following House amendment:

Amend by numbering section one, and add the following as section two:

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 Des Moines Register and the Des Moines Capital, newspapers published at Des Moines, Iowa.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 35.

Adams	Hale	Ratcliff
Anderson	Holdoegel	Reed
Arney	Horchem	Rule
Balkema	Kimball	Schaffter
Buser	LeCompte	Stephenson
Byington	Meredith	Stoddard
Cessna	Mitchell	Taylor
Edwards	Nelson	Van Alstine
Evans	Newberry	White
Fellows	Pitt	Whitmore
Foskett	Price	Wilson
Greenell	Proudfoot	

Nays, none.

Absent or not voting, 15.

Ball	Fralley	Rainbow
Brookhart	Haskell	Scott
Broxam	Kimberly	Shane
Coburn	Kingland	Smith
Foster	Parker	Thompson

So the House amendment having received a constitutional majority was declared to have been concurred in by the Senate.

Senator Horchem called up Senate File No. 86 and moved that the Senate concur in the following House amendment:

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

SECTION 1. That section two hundred fifty-four-a-eighteen (254-a-18), supplement to the code, 1913, be and the same is hereby amended by striking the word "fifty" from the fifth line and substituting in lieu thereof the words "thirty-five", and by striking from the eleventh line thereof the words "seventy-five" and substituting in lieu thereof the words, "one hundred and twenty-five".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 33.

Adams	Hale	Reed
Anderson	Holdoegel	Rule
Arney	Horchem	Schaffter
Balkema	Kimball	Smith
Byington	LeCompte	Stephenson
Cessna	Meredith	Stoddard
Edwards	Mitchell	Taylor
Evans	Newberry	Van Alstine
Fellows	Price	White
Foskett	Proudfoot	Whitmore
Greenell	Ratcliff	Wilson

Nays, none.

Absent or not voting, 17.

Ball	Frailey	Pitt
Brookhart	Haskell	Rainbow
Broxam	Kimberly	Scott
Buser	Kingland	Shane
Coburn	Nelson	Thompson
Foster	Parker	

The House amendment having received a constitutional majority was declared to have been concurred in by the Senate.

Senator Wilson called up Senate File No. 116 and moved that the Senate concur in the following House amendment:

Amend the title to Senate File No. 116 so as to read as follows:

A bill for an act to amend sections five thousand three hundred and sixty-three (5363), five thousand three hundred and sixty-five (5365), and five thousand three hundred and sixty-six (5366) of the code, regulating the method and number of challenges and the method of exercising peremptory challenges and of selecting the petit jury from the panel in the case of criminal procedure.

By striking out all following the enacting clause and substituting in lieu thereof the following:

SECTION 1. That section five thousand three hundred and sixty-three (5363) of the code, be and the same is hereby amended by striking from line two (2) thereof the word "twelve" and by inserting in lieu thereof the word "sixteen".

SEC. 2. That section five thousand three hundred and sixty-five (5365) of the code, be and the same is hereby repealed and the following enacted in lieu thereof:

If the offense charged in the indictment or information is or may be punishable with death or imprisonment for life, the state and defendant shall each have the right to peremptorily challenge eight jurors and shall strike two jurors: if the offense charged be any other felony, the state and the defendant shall each have the right to peremptorily challenge four jurors and shall strike two jurors: and if the offense charged be a misdemeanor, the state and the defendant shall each have the right to peremptorily challenge one juror and shall strike two jurors. The clerk shall prepare a list of jurors called and after all challenges for cause are exhausted or waived, the parties, commencing with the state, shall alternately challenge peremptorily or waive by indicating any such challenge upon the list opposite the name of the juror challenged or by indicating the number of waiver elsewhere on the list.

SEC. 3. That section five thousand three hundred and sixty-six (5366) of the code, be and the same is hereby repealed and the following enacted in lieu thereof:

After each challenge, sustained for cause, or made peremptorily as indicated on the list, another juror shall be called and examined for challenge for cause before a further challenge is made and any new juror thus called may be challenged for cause and shall be subject to peremptory challenge or to being struck from the list as other jurors. After all challenges have thus been exercised or waived and four jurors have been struck from the list the clerk shall read the names of the twelve jurors remaining who shall constitute the jury selected.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 31.

Adams	Hale	Rule
Anderson	Horchem	Schaffter
Arney	Kimball	Smith
Balkema	LeCompte	Stephenson
Buser	Meredith	Stoddard
Byington	Mitchell	Taylor
Cessna	Newberry	Van Alstine
Coburn	Pitt	White
Edwards	Price	Whitmore
Evans	Reed	Wilson
Fellows		

Nays, none.

Absent or not voting, 19.

Ball	Haskell	Proudfoot
Brookhart	Holdoegel	Rainbow
Broxam	Kimberly	Ratliff
Foskett	Kingland	Scott
Foster	Nelson	Shane
Frailey	Parker	Thompson
Greenell		

The House amendments having received a constitutional majority were declared to have been concurred in by the Senate.

### THIRD READING OF BILLS.

Senator Price asked unanimous consent to take up for consideration House File No. 4, a bill for an act amending section four hundred forty-one (441), supplemental supplement to the code, 1915, as amended by chapter four hundred eight (408), acts of the Thirty-seventh General Assembly, relating to the publication of the proceedings of boards of supervisors in foreign language newspapers, and repealing section five hundred forty-nine (549), supplement to the code, 1913, relating to the designation of newspapers for the publication of legal notices and enacting a substitute therefor, and providing for the publication of legal notices and proceedings exclusively in the English language and in newspapers published in the English language.

Senator LeCompte moved that House File No. 4 and Senate File No. 242 be referred to the committee on printing.

Motion prevailed.

On motion of Senator Van Alstine, House File No. 47, a bill for an act to amend sections five (5) and six (6) of chapter three hundred forty-four (344) of the acts of the thirty-seventh general assembly relating to the establishment of drainage districts, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking from the title the words "of the" following the figures (344) in the second line of the said title, and inserting a comma in lieu thereof. Also by striking out the words "of the" following the figures (344) in the second line of Section 1, and inserting a comma in lieu thereof. Also by striking out the word "thirty" in the sixth line of Section one, and inserting the word "twenty" in lieu thereof. Also by striking out the word "thirty" in the sixth line of Section two and inserting the word "twenty" in lieu thereof.

Senator Van Alstine moved that the rules be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35.

Adams	Hale	Reed
Anderson	Haskell	Rule
Arney	Holdoegel	Schaffter
Balkema	Horchem	Smith
Ball	Kimball	Stephenson
Buser	Meredith	Stoddard
Byington	Mitchell	Taylor
Cessna	Nelson	Van Alstine
Edwards	Newberry	White
Evans	Pitt	Whitmore
Fellows	Price	Wilson
Greenell	Rainbow	

Nays, none.

Absent or not voting, 15.

Brookhart	Fralley	Proudfoot
Broxam	Kimberly	Ratcliff
Coburn	Kingland	Scott
Foskett	LeCompte	Shane
Foster	Parker	Thompson

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Buser offered the following amendment to the title and moved its adoption:

I move to amend the title of House File No. 47 by striking therefrom all that part of same after the word "Assembly" occurring in line 2 thereof, and inserting the following: "Providing a minimum of assessments upon a single lot or tract of land which cannot be paid in installments, or which shall not be included in a bond issue of such drainage district."

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Adams, Senate File No. 261, a bill for an act to amend section eighteen hundred sixty (1860), chapter ten (10), title IX, supplemental supplement to the code, 1915, as amended by section one (1), chapter one hundred eighty-nine (189) of the Acts of the Thirty-seventh (37th) General Assembly, relating to reserves of Savings banks; and to amend section eighteen hundred sixty-seven (1867), of chapter eleven (11), title IX, of the code, as amended by section two (2), chapter one hundred eighty-nine (189), of the Acts of the Thirty-seventh (37) General Assembly, relating to reserves of State banks, and to provide cash reserve

requirements for State banks, Savings banks and Trust companies, which are or may hereafter become members of the Federal Reserve bank system of the United States of America, a committee bill, was taken up and considered.

The bill was read for information.

Senator Adams 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 vote was:

Ayes, 33.

Adams	Holdoegel	Rainbow
Anderson	Horchsm	Reed
Arney	LeCompte	Rule
Buser	Meredith	Schaffter
Byington	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Newberry	Taylor
Fellows	Parker	Van Alstine
Greenell	Pitt	White
Hale	Price	Whitmore
Haskell	Proudfoot	Wilson

Nays, none.

Absent or not voting, 17.

Balkema	Foskett	Ratcliff
Ball	Foster	Scott
Brookhart	Fralley	Shane
Broxam	Kimball	Smith
Cessna	Kimberly	Thompson
Evans	Kingland	

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 Anderson, Senate File No. 262, a bill for an act to prohibit a bank or a trust company incorporated under Iowa laws to obtain funds or credit "under cover" or by side agreement; and to prohibit any bank or trust company from accepting any side agreement for any loan or discount or rediscount not openly and regularly made, and to provide penalty for violation thereof, a committee bill, was taken up and considered.

Senator Wilson offered the following amendment and moved its adoption:

Strike out the word "less" in line 4 and in line 6 of Section 3 and insert in lieu thereof in each instance the word "more".

The amendment was adopted.

Senator Anderson 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 vote was:

Ayes, 23.

Adams	Foskett	Reed
Arney	Holdoegel	Stephenson
Balkema	Kimball	Stoddard
Byington	Newberry	Van Alstine
Cessna	Parker	White
Coburn	Proudfoot	Whitmore
Evans	Rainbow	Wilson
Felows	Ratcliff	

Nays, 13.

Anderson	Haskell	Pitt
Ball	LeCompte	Rule
Buser	Mitchell	Schaffter
Edwards	Nelson	Smith
Hale		

Absent or not voting, 14.

Brookhart	Horchem	Scott
Broxam	Kimberly	Shane
Foster	Kingland	Taylor
Fralley	Meredith	Thompson
Greenell	Price	

So the bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Van Alstine, Senate File No. 119, a bill for an act to repeal section thirty-three hundred and seventy-six (3376), supplement to the code, 1913, and to enact a substitute therefor, relating to election of a surviving spouse to take or to refuse to take under a decedent's will, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.



The following committee amendments were adopted:

Amend by inserting in line four following the colon (:), "the survivor's share cannot be affected by any will of the spouse unless consent thereto is given as hereinafter provided". And by inserting between the word "election" and the word "has" in line five thereof the following: "to take or to refuse to take under a will". And by inserting after the period in line twenty-one, the following: "the same notice may be given by any other person interested in the estate of decedent, and shall have the same force and effect as if given by the executor". And by striking out from said bill all following the period in line thirty-seven thereof.

Senator Van Alstine 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 vote was:

Ayes, 43.

Adams	Haskell	Ratcliff
Anderson	Holdoegel	Reed
Arney	Horchem	Rule
Balkema	Kimball	Schaffter
Ball	LeCompte	Shane
Buser	Meredith	Smith
Byington	Mitchell	Stephenson
Cessna	Nelson	Stoddard
Coburn	Newberry	Taylor
Edwards	Parker	Thompson
Evans	Pitt	Van Alstine
Fellows	Price	White
Foskett	Proudfoot	Whitmore
Greenell	Rainbow	Wilson
Hale		

Nays, none.

Absent or not voting, 7.

Brookhart	Frailey	Kingland
Broxam	Kimberly	Scott
Foster		

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Wilson offered the following amendment to the title and moved its adoption:

I move to amend the title by inserting after the word "to" in line 3 the words "share not affected by will and"

The amendment was adopted and the title as amended was agreed to.

On motion of Senator LeCompte, Senate File No. 224, a bill for an act to legalize deed of Wayne County, Iowa, to Ben Gilkerson for Lots One (1) and Two (2) in Young's Second Addition to the town of Seymour, Iowa, as shown by plat recorded in Book II, Page 152, land deed records of the office of the recorder of Wayne County, Iowa, the same being Lots One (1) and Two (2) in Block One (1) in Young's Second Addition to the town of Seymour, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent the following section was added:

Sec. 2. Nothing in this act shall affect pending litigation, if any.

Senator LeCompte 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 vote was:

Ayes, 41.

Anderson	Haskell	Ratcliff
Arney	Holdoegel	Reed
Balkema	Horchem	Rule
Ball	Kimball	Schaffter
Buser	LeCompte	Shane
Byington	Meredith	Smith
Cessna	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Newberry	Taylor
Evans	Parker	Thompson
Fellows	Pitt	White
Foskett	Price	Whitmore
Greenell	Proudfoot	Wilson
Hale	Rainbow	

Nays, none.

Absent or not voting, 9.

Adams	Foster	Kingiano
Brookhart	Fralley	Scott
Broxam	Kimberly	Van Alstine

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 Parker, House File No. 84, a bill for an act to amend chapter three hundred forty-three (343), Laws of the Thirty-seventh General Assembly, relating to levying of taxes, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

That the word and figure "Section 1." be inserted preceding the word "That" in line 1.

That the following be inserted after the word "Auditor" and before the word "may" in line 7 of Section 1: ", with the approval of the Board of Supervisors."

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 26.

Anderson	Kimball	Schaffter
Arney	Nelson	Shane
Balkema	Newberry	Smith
Ball	Parker	Stoddard
Byington	Price	Van Alstine
Edwards	Proudfoot	White
Evans	Rainbow	Whitmore
Foskett	Ratcliff	Wilson
Holdoegel	Reed	

Nays, 7.

Buser	Haskell	Rule
Greenell	Pitt	Stephenson
Hale		

Absent or not voting, 17.

Adams	Foster	Meredith
Brookhart	Frailey	Mitchell
Broxam	Horchem	Scott
Cessna	Kimberly	Taylor
Coburn	Kingland	Thompson
Fellows	LeCompte	

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. 155, a bill for an act to repeal the law as it appears in sections four hundred ten, (410, four hundred eleven, (411), and four hundred sixteen, (416), supplement to the code, 1913, and in sections four hundred seventeen, (417), and four hundred eighteen, (418), of the code; and to enact a substitute therefor relating to the elections, duties, and terms of office of county supervisors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson was called to the chair at 10:50.

Senator Parker offered the following amendment and moved its adoption:

Amend Senate File No. 155 by inserting in line 22 of Section 4, following the word "cast" the words "in each district"

The amendment was adopted.

Senator Taylor offered the following amendment and moved its adoption:

I move to amend Senate File No. 155 by adding after the word "practicable" in the sixth line of Section 4, the words "provided that no supervisor shall be assigned less than one township"

The amendment was adopted.

Senator Van Alstine offered the following amendment and moved its adoption:

I move to amend section 4 of Senate File No. 155 by striking out the word "fifteen" where it occurs in line 17 and insert in lieu thereof the word "ten."

The amendment was lost.

Senator Buser offered the following amendment and moved its adoption:

I move to amend section four by striking out the word "population" in line four and substituting in lieu thereof the following: "the number of townships"

The amendment was lost.

Senator Van Alstine offered the following amendment and moved its adoption:

I move to amend Senate File No. 155 by inserting in line 17 of Section 4 after the word "electors" the following:

"voting at the last general election"

The amendment was 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 vote was:

Ayes, 21.

Adams	Holdoegel	Shane
Balkema	Horchem	Stephenson
Edwards	Meredith	Thompson
Evans	Nelson	Van Alstine
Foskett	Pitt	White
Greenell	Rainbow	Whitmore
Haskell	Rule	Wilson

Nays, 13.

Anderson	Coburn	Price
Arney	Fellows	Proudfoot
Ball	Kimball	Schaffter
Buser	Parker	Shane
Byington		

Absent or not voting, 16.

Brookhart	Kimberly	Ratcliff
Broxam	Kingland	Reed
Cessna	LeCompte	Scott
Foster	Mitchell	Stoddard
Frailey	Newberry	Taylor
Hale		

So the bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

President Moore resumed the chair at 11:30.

## 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. 88, a bill for an act relating to appropriations for state institutions under the board of control.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 confirm the title of Frank Schultz to a certain tract of land in Poweshiek County, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 366, a bill for an act legalizing the formation and establishment and proceedings of the Independent School District of Bode, Iowa.

W. C. RAMSAY, *Chief Clerk.*

## HOUSE MESSAGES CONSIDERED.

House File No. 242, a bill for an act to confirm the title of Frank Schultz to the South East quarter of the North West quarter of Section No. thirty-four (34) in Township No. eighty-one (81) North Range No. fifteen (15), West fifth P. M., in Poweshiek County, Iowa, and authorizing the issuance of a patent to him therefor.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 366, a bill for an act legalizing the formation and establishment and proceedings of Independent School District of Bode, in Humboldt County, Iowa.

Read first and second time.

## THIRD READING OF BILLS.

On motion of Senator Van Alstine, House File No. 366, a bill for an act legalizing the formation and establishment and proceedings of Independent School District of Bode, in Humboldt County, Iowa, was taken up for consideration.

On motion of Senator Van Alstine the rule whereby no bill may be read a second and third time the same day was suspended.

Senator Van Alstine moved that the rules be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 32.

Adams	Foskett	Reed
Andeson	Greenell	Rule
Arney	Haskell	Schaffter
Balkema	Holdoegel	Shane
Ball	Horchem	Stephenson
Buser	Meredith	Thompson
Byington	Parker	Van Alstine
Coburn	Pitt	White
Edwards	Price	Whitmore
Evans	Proudfoot	Wilson
Fellows	Rainbow	

Nays, none.

Absent or not voting, 18.

Brookhart	Kimball	Newberry
Broxam	Kimberly	Rateliff
Cessna	Kingland	Scott
Foster	LeCompte	Smith
Frailey	Mitchell	Stoddard
Hale	Nelson	Taylor

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 Buser, Senate File No. 171, a bill for an act to legalize the Notice of Incorporation of the S. T. Sinnett Company, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Buser 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 vote was:

Ayes, 33.

Adams	Greenell	Rainbow
Anderson	Haskell	Reed
Arney	Holdoegel	Rule
Balkema	Horchem	Schaffter
Ball	Kimball	Smith
Buser	Meredith	Stephenson
Byington	Nelson	Thompson
Coburn	Parker	Van Alstine
Edwards	Pitt	White
Evans	Price	Whitmore
Fellows	Proudford	Wilson

Nays, none.

Absent or not voting, 17.

Brookhart	Hale	Ratcliff
Broxam	Kimberly	Scott
Cessna	Kingland	Shane
Foskett	LeCompte	Stoddard
Foster	Mitchell	Taylor
Frailey	Newberry	

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 Nelson, from the committee on congressional, judicial and representative districts, submitted the following report:

MR. PRESIDENT—Your committee on congressional, judicial and representative districts to whom was referred Senate File No. 243, a bill for an act to amend the law as it appears in chapter two hundred and fifteen (215) of the acts of the thirty-fourth (34th) general assembly, relating to the apportionment of the state into representative districts and declaring the ratio of representation, beg leave to report they have had the same under consideration and recommend the same do pass.

J. A. NELSON, *Chairman.*

Ordered passed on file.



Senator Reed, from the committee on land titles, submitted the following report:

MR. PRESIDENT—Your committee on land titles, to whom was referred Senate File No. 93, a bill for an act to limit the commencement of an action for the recovery of an interest in real estate, based upon a claim prior to A. D. 1900, unless notice of such claimed right or interest is given as herein provided, 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:

By striking out all following the enacting clause, and substituting therefor the following:

"SECTION 1. That no action based upon any claim arising or existing prior to the 1st day of January, A. D. 1900 shall be maintained, either at law or in equity, in any court to recover any real estate in this state or to recover or establish any interest therein or claim thereto, legal or equitable, against the holder of the record title to such real estate in possession, when such holder of the record title and his grantors immediate or remote are shown by the record to have held chain of title to said real estate, since the said 1st day of January A. D. 1900, unless such claimant, by himself, or by his attorney or agent, or if he be a minor or under legal disability, by his guardian, trustee or either parent shall within one year from and after the date of the taking effect of this act, file in the office of the recorder of deeds of the county wherein such real estate is situated, a statement in writing, which shall be duly acknowledged, definitely describing the real estate involved, the nature and extent of the right or interest claimed, and stating the facts upon which the same is based.

For the purposes of this act, any person who holds title to real estate by will or descent from any person who held the title of record to such real estate at the date of his death or who holds title by decree or order of any court, or under any tax deed, trustee's, referee's, guardian's, executor's, administrator's, receiver's, assignee's or sheriff's deed, shall be deemed to hold chain of title the same as though holding by direct conveyance.

SEC. 2. Any such claim so filed, shall be indexed under the description of the real estate involved in a book set apart and specially designed for that purpose to be known as the "Claimant's Book" and kept in the office of the recorder of the county where such real estate is situated, and said statement, when so indexed, shall be recorded as other instruments affecting real estate.

SEC. 3. That the provisions of Section 3453 of the code as to the rights of minors and insane persons shall not be applicable against the provisions of this act.

SEC. 4. Provided, however, that nothing in this act contained shall be construed as limiting or extending the time within which actions by a spouse to recover dower or distributive share in real estate within this

state may be brought or maintained under the provisions of section 3447-b of the supplement to the code, 1913, and the amendments thereto, or as limiting or extending the time within which actions may be brought or maintained to foreclose or enforce any real estate mortgage, bond for deed, trust deed, or contract for the sale or conveyance of real estate under the provisions of section 3447-c of the supplement to the code, 1913, and the amendments thereto: And, Provided further, that this act should in no case revive or permit an action to be brought or maintained upon any claim or cause of action which is barred by any statute which is in force at the time this act takes effect."

CARL W. REED, *Chairman.*

Ordered passed on file.

Also:

MR. PRESIDENT—Your committee on land titles, to whom was referred Senate File No. 53, a bill for an act to provide means for perfecting, registering and transferring titles to real estate to be known as the "Torrens Land Title System," 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:

By striking out all of section one hundred (100) and inserting in lieu thereof the following:

"SEC. 100. It is hereby made the duty of the board of supervisors in each county of the state to provide each registrar with the necessary books, supplies and stationery required by this act and to fix the bond required for each registrar, and upon the filing of said bond and the approval thereof by the board of supervisors, the same shall be in force and effect."

CARL W. REED, *Chairman.*

Ordered passed on file.

Senator Kimball, 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. 190, a bill for an act to amend section eight hundred eighty-seven (887) of the code, relating to taxation in cities and towns, 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:

That section 1 be stricken out and the following substituted therefor:

"SECTION 1. That the law as it appears in section eight hundred eighty-seven (887) of the Code, be and the same is hereby amended by adding thereto the following: The council of each city or town is

hereby authorized to levy a tax for the year 1919 and for the year 1920, not exceeding five (5) mills on the dollar, for the purpose of meeting any deficiency in or inadequacy of said ten (10) mill levy."

That the title be amended by striking out all portions of the present title after the words "A BILL FOR AN ACT" and substituting therefor the following:

"To amend section eight hundred eighty-seven (887) of the Code, by authorizing a special extra levy not exceeding five (5) mills for the years 1919 and 1920 for the general fund of all cities and towns."

CLEM F. KIMBALL, *Chairman.*

Ordered passed on file.

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed House Files Nos. 141, 17 and 260.

#### ADDITIONAL MEMBERS OF COMMITTEE ON DEPARTMENTAL AFFAIRS.

The president announced the appointment of Senators Arney and Whitmore to membership on the committee on departmental affairs.

#### CORRECTION OF JOURNAL.

The journal of February 25th was corrected and approved.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 the following bills:

House File No. 260, a bill for an act to amend chapter ninety (90) of the acts of the thirty-seventh general assembly, in reference to the organization of farm improvement associations.

Also:

House File No. 17, a bill for an act to provide for the recording of discharge papers of discharged soldiers, sailors and marines.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 26th day of February, 1919, sent to the governor for his approval Senate File No. 98, a bill for an act to legalize certain warrants of the city of Oelwein, Iowa.

Also:

Senate File No. 47, a bill for an act to amend section twenty-nine hundred-a-six (2900-a-6) supplement to the code, 1913, and relating to compensation for surveyors surveying abandoned river channels, sand bars or islands.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### THIRD READING OF BILLS.

On motion of Senator Horchem, Senate File No. 180, a bill for an act to legalize articles of adoption executed by the Hillcrest Deaconess Home and Baby Fold, located at Dubuque, Iowa, and to legalize the proceedings of said institution relative to the adoption of minors, was taken up, and House File No. 204, a companion bill, with report of committee recommending passage, was substituted therefor, and was taken up, considered, and the report of the committee adopted.

Senator Horchem moved that the rules be suspended, and 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 vote was:

Ayes, 29.

Adams	Foskett	Rule
Anderson	Haskell	Schaffter
Arney	Holdoegel	Shane
Balkema	Horchem	Stephenson
Ball	Meredith	Thompson
Byington	Parker	Van Alstine
Coburn	Price	White
Edwards	Proudfoot	Whitmore
Evans	Rainbow	Wilson
Fellows	Reed	

Nays, none.

Absent or not voting, 21.

Brookhart	Hale	Newberry
Broxam	Kimball	Pitt
Buser	Kimberly	Ratcliff
Cessna	Kingland	Scott
Foster	LeCompte	Smith
Fralley	Mitchell	Stoddard
Greenell	Nelson	Taylor

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

#### SENATE FILES WITHDRAWN.

By unanimous consent, Senator Horchem withdrew Senate File No. 180 from further consideration.

#### SENATE FILE NO. 3.

By unanimous consent, Senator Rainbow withdrew Senate File No. 44 from further consideration.

Senator Price invoked rule 31a with reference to Senate File No. 3, being the rule relating to the time of reporting on bills referred to committees.

Senator Thompson moved that the committee on elections be given fifteen days longer for consideration of Senate File No. 3.

Senator Wilson moved as a substitute for the pending motion that the committee on elections be instructed to report out Senate File No. 3 by March 7th.

The motion prevailed.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 the following bill:

House File No. 366, a bill for an act legalizing the formation and establishment and proceedings of the Independent School District of Bode, in Humboldt County, Iowa.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*  
WILL L. KING,  
*Chairman House Committee.*

Adopted.

## MOTIONS TO RECONSIDER FILED.

I move to reconsider the vote by which Senate File No. 261 passed the Senate and the vote by which it passed to its third reading.

A. L. RULE.

I move to reconsider the vote by which Senate File No. 262 failed to pass the Senate.

W. W. ANDERSON.

I move to reconsider the vote and the motion by which Senate File No. 41 was placed on its passage.

J. R. PRICE.

I move to reconsider the vote by which Senate File No. 155 failed to pass the Senate.

CLEM F. KIMBALL.

I move to reconsider the vote by which House File No. 37 was indefinitely postponed.

DAVE MEREDITH.

## BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed House File No. 366.

In accordance with concurrent resolution, on motion of Senator Rainbow, Senate adjourned until 10:00 a. m., Wednesday, March 5th.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 5, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Elder Warren Turner of the Reorganized Church of Jesus Christ, L. D. S. of Clinton.

## BILLS SIGNED BY GOVERNOR.

A communication was received from the governor saying he had signed Senate Files Nos. 32, 91, 26 and 123.

Thomas Watters, Jr., appeared before the bar of the Senate and was duly sworn as secretary.

Senator Wilson moved that Secretary, Captain Thomas Watters be invited to address the Senate.

The motion carried unanimously and Captain Watters voiced his appreciation at being present in the Senate again.

## LEAVE OF ABSENCE.

On request of Senator Schaffter leave of absence was granted Senator Kingland for the day.

## PETITIONS AND MEMORIALS.

Senator Hale presented a remonstrance of members of the Lutheran Church of Cedar County against the Dean bill.

Referred to committee on schools.

Senator Smith presented a remonstrance of citizens of Madison county against a bond issue for paved roads.

Referred to committee on highways.

Senator Ball presented remonstrances of citizens of Van Buren and Jefferson counties against bond issue for paved roads.

Referred to committee on highways.

Senator Rainbow presented a petition of citizens of Black Hawk county favoring appropriation of \$75,000 to be used for the enforcement of the law in Iowa.

Referred to committee on appropriations.

Senator Newberry presented a remonstrance of citizens of Clayton county against bond issue for paved roads.

Referred to committee on highways.

Senator Buser presented a remonstrance of citizens of Muscatine county against bond issue for paved roads.

Referred to committee on highways.

Senator Stephenson presented a remonstrance of citizens of Ringgold county against bond issue for paved roads.

Referred to committee on highways.

Senator Arney presented a remonstrance of citizens of the Marshall County Medical Society against Senate File No. 41.

Referred to committee on public health.

Senator Foskett presented a petition of citizens of Page county favoring investment of savings banks in federal land bank bonds.

Referred to committee on banks and banking.

Senator Adams presented a remonstrance of citizens of Kosuth county against bond issue for paved roads.

Referred to committee on highways.

Senator Fellows presented a remonstrance of citizens of Fayette county against bond issue for paved roads.

Referred to committee on highways.

Senator Rainbow presented a petition of citizens of Grundy county favoring county aid to farm bureaus.

Referred to committee on agriculture.



Senator Holdoegel presented a resolution from the Webster County Medical Society relative to chiropractics.

Referred to committee on public health.

Senator Holdoegel presented a remonstrance of citizens of Calhoun county against bond issue for paved roads.

Referred to committee on highways.

Senator Holdoegel presented a resolution from the Fort Dodge Commercial Club relative to the erection and establishment of a soldiers' and sailors' memorial.

Referred to committee on military affairs.

Senator Holdoegel presented a remonstrance of the Lutheran Church, Ft. Dodge, against the Dean bill.

Referred to committee on schools.

Senator Holdoegel presented a petition of the Fort Dodge Commercial Club relative to drafting a code regulating the business of plumbing.

Referred to committee on public health.

Senator Rainbow presented a petition of the Waterloo Woman's Club favoring the housing bill.

Referred to committee on cities and towns.

On motion of Senator Wilson, Rule 33 was suspended for the day.

#### TOWNSEND MEMORIAL RESOLUTION.

Senator Price offered the following resolution:

*Whereas*, Honorable Fredrick Townsend, a former member of this body, from the Monroe and Marlon district, has passed away since the adjournment of the session of the Thirty-seventh General Assembly,

*Be It Resolved*, that a committee of three be appointed by the president of the Senate to prepare and report appropriate resolutions in commemoration of his character and public service.

By unanimous consent the resolution was taken up, considered and adopted.

The president appointed as such committee Senators Price, Haskell and Broxam.

### THIRD READING OF BILLS.

On motion of Senator Hale, Senate File No. 209, a bill for an act to amend section four thousand eight hundred and ninety-seven-a (4897-a) of the supplement to the code, 1913, relating to the escape of persons committed to the penitentiary or reformatory, and providing the jurisdiction of an indictment for the crime of escaping from such prison, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking out the words and figures found in lines six and seven of section 1, as follows: "In section four thousand eight hundred and ninety-seven-a (4897-a), supplement to the code, 1913," and inserting in lieu thereof the word "herein".

Senator Hale 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 vote was:

Ayes: 42.

Adams	Fralley	Proudfoot
Anderson	Greenell	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Reed
Ball	Holdoegel	Rule
Brookhart	Horchem	Schaffter
Broxam	Kimball	Shane
Buser	Kimberly	Smith
Byington	LeCompte	Stephenson
Cessna	Meredith	Stoddard
Edwards	Nelson	Thompson
Evans	Newberry	White
Fellows	Pitt	Whitmore
Foskett	Price	Wilson

Nays: None.

Absent or not voting: 8.

Coburn  
Foster  
Kingland

Mitchell  
Parker  
Scott

Taylor  
Van Alstine

So the bill having received a constitutional majority was declared to have passed the Senate.

By unanimous consent the words "of the" were stricken from line 2 of the title, and the title was agreed to.

On motion of Senator Anderson, Senate File No. 263, a bill for an act to prohibit the receiving of commissions, etc., for organizing a bank or securing subscriptions to stock, a committee bill, 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 Senate File No. 263 by striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. On and after the passage of this Act it shall be unlawful for any bank or trust company in this state or any officer, director or employee of any such bank or trust company to pay or promise to pay, directly or indirectly any fee, commission, bonus, salary or any other compensation of any character whatsoever for services rendered or to be rendered in securing subscriptions to the original capital stock or surplus of any bank or trust company in this state or to any increase of the capital or surplus of any bank or trust company unless and until such fee, commission, bonus, salary or other compensation of whatsoever character shall first have been approved by the Superintendent of Banks, but in no case shall the total of all such fees, commissions, bonuses, salaries or other compensation including attorneys' fees and filing fees exceed two (2) per cent of the total of cash collected because of such subscriptions or sales of stock and surplus and in no case shall any such fee, commission, bonus, salary or other compensation be allowed or paid where such allowance or payment would render the stock of such bank or trust company worth less than One Hundred Dollars (\$100.00) per share.

SEC. 2 Any officer, director or employee of any bank or trust company in this state who violates any of the provisions of this Act, shall be deemed guilty of a misdemeanor and upon conviction be fined not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for not more than thirty days or by both such fine and imprisonment.

On motion of Senator Arney the bill and amendment were referred to the committee on banks and banking.

On motion of Senator Ball, Senate File No. 240, a bill for an act to amend the law as it appears in Section twenty-four hundred sixteen (2416) of the Code, 1897, relating to the disposition of liquors seized and condemned to forfeiture by the court, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by adding as section 2 the following:

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 the Des Moines Register, newspapers published in the city of Des Moines, Iowa.

Senator Whitmore offered the following amendment and moved its adoption:

Insert between "and" and "hospital" in line 8, the words "state and public".

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption:

I move to amend by inserting after the word "vessels" the words "except beer" in the sixth line thereof.

The amendment was withdrawn by unanimous consent.

Senator Ball 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 vote was:

Ayes: 29.

Adams	Evans	Kimball
Anderson	Fralley	Kimberly
Balkema	Greenell	Nelson
Ball	Hale	Newberry
Broxam	Haskell	Pitt
Buser	Holdoegel	Price
Edwards	Horchem	Rainbow

Reed  
Rule  
Schaffter

Smith  
Thompson  
White

Whitmore  
Wilson

Nays: 13.

Arney  
Brookhart  
Byington  
Cessna  
Fellows

Foskett  
LeCompte  
Meredith  
Proudfoot

Ratcliff  
Shane  
Stephenson  
Stoddard

Absent or not voting: 8.

Coburn  
Foster  
Kingland

Mitchell  
Parker  
Scott

Taylor  
Van Alstine

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 Newberry, Senate File No. 245, a bill for an act to amend the law as it appears in section two thousand eight hundred thirty-one (2831) supplement to the Code 1913; and section two thousand eight hundred thirty-three (2833) of the Code; and section one thousand seventy-two (1072) supplement to the code 1913, relating to county board of education, with report of committee recommending amendments and passage, was taken up and House File No. 302, a companion bill, was substituted therefor.

Senator Arney offered the following amendment and moved its adoption:

I move to amend section two by striking from lines 48 and 49 the following:

"and shall act as an advisory board to the county superintendent."

Senator Wilson proposed the following amendment as a substitute for the amendment pending:

I move to amend section two of House File No. 302 by striking the word "shall" from line 48 and inserting in lieu thereof the word "may".

Also by striking the word "shall" in line 49 and inserting in lieu hereof the word "may".

On motion of Senator Price, House File No. 302 was made a special order for 1:30 p. m. today.

On motion of Senator Smith, House File No. 26, a bill for an act to amend Section twenty-three hundred and fifty-five (2355) of the code of Iowa in relation to partition fences, was taken up, a motion to reconsider having been passed.

On motion of Senator Smith the vote by which the bill passed to its third reading was reconsidered.

Senator Smith offered the following amendment and moved its adoption:

I move to amend section one by striking the period at the end thereof and substituting a semi-colon, and adding thereto the following: "and by inserting after the said word 'shall' the following: 'upon written request of either owner'".

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes: 28.

Adams	Holdoegel	Reed
Anderson	Horchem	Rule
Arney	Kimball	Schaffter
Balkema	LeCompte	Shane
Ball	Nelson	Smith
Broxam	Price	Stephenson
Byington	Proudfoot	Stoddard
Cessna	Rainbow	White
Edwards	Ratcliff	Whitmore
Foskett		

Nays: 10.

Buser	Haskell	Pitt
Evans	Meredith	Thompson
Fralley	Newberry	Wilson
Hale		

Absent or not voting: 12.

Brookhart	Greenell	Parker
Coburn	Kimberly	Scott
Fellows	Kingland	Taylor
Foster	Mitchell	Van Alstine

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 Newberry, Senate File No. 292, a bill for an act to repeal section two thousand seven hundred eighty-one (2781) of the Code, relating to the system of common schools and requiring certain publications of expenditures and receipts, and enacting a substitute therefor, a committee bill, substituted for Senate File No. 183, was taken up for consideration.

Senator Newberry 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 vote was:

Ayes: 36.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Smith
Broxam	Kimberly	Stephenson
Byington	LeCompte	Stoddard
Edwards	Meredith	Thompson
Evans	Nelson	White
Foskett	Newberry	Whitmore
Fralley	Proudfoot	Wilson

Nays: 4.

Buser	Price	Shane
Pitt		

Absent or not voting: 10.

Cessna	Kingland	Scott
Coburn	Mitchell	Taylor
Fellows	Parker	Van Alstine
Foster		

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. 209, a bill for an act to amend section four thousand six hundred sixty-one (4661) of the code, relating to witness fees.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 218, a bill for an act to amend section four thousand eight hundred ninety-seven-A (4897-A) of the supplement to the code, 1913, relating to the escape of persons committed to the penitentiary or reformatory and providing the jurisdiction of an indictment for the crime of escaping from such prison.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 318, a bill for an act to amend sections twenty-seven hundred seven-A76 (2707-A76) and twenty-seven hundred twenty-seven-A82 (2727-A82), and repeal section twenty-seven hundred twenty-seven-A83 (2727-A83) of title thirteen (13), chapter eleven (11), supplement to code, 1913, relative to the requirements of patients for admission to the tuberculosis sanitarium at Oak Dale, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 227, a bill for an act to amend the law as it appears in section twenty-nine hundred-b (2900-b) supplemental supplement to the code, 1915, relating to the sale of lake beds.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 284, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-atwo (1989-a2) of the supplement to the code, 1913, relating to the report of engineer.

W. C. RAMSAY, *Chief Clerk.*



Also:

I am directed to 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 amend section twenty-seven hundred ninety-four-a (2794-a) supplemental supplement to the code, 1915, relating to the school taxes levied for general fund.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 163, a bill for an act permitting the carrying out of the recommendations embodied in the report of the state highway commission as to certain lakes.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 96, a bill for an act to amend section 1 of chapter 226 of the acts of the Thirty-seventh General Assembly relating to municipal courts.

W. C. RAMSAY, *Chief Clerk.*

Also:

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 providing for a joint session of the 38th G. A. to receive a message from the governor of Iowa.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 227, a bill for an act to amend the law as it appears in section twenty-nine hundred-B (2900-B), supplemental supplement to the code, 1915, relating to the sale of lake beds.

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

House File No. 284, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-A two (1989-a2) of the supplement to the code 1913, relating to the report of engineer.

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

House File No. 103, a bill for an act to amend section twenty-seven hundred ninety-four-A (2794-A), supplemental supplement to the code, 1915, relating to the school taxes levied for general fund.

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

House File No. 209, a bill for an act to amend section four thousand six hundred sixty-one (4661), of the code relating to witness fees.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 218, a bill for an act to amend section four thousand eight hundred-ninety-seven-A (4897-A) of the supplement to the code, 1913, relating to the escape of persons committed to the penitentiary or reformatory and providing the jurisdiction of an indictment for the crime of escaping from such prison.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 318, a bill for an act to amend sections twenty-seven hundred seven-A 76 (2707-A76) and twenty-seven hundred twenty-seven-A82 (2727-A82), and repeal section twenty-seven hundred twenty-seven-A83 (2727-A83) of title thirteen (13), chapter eleven (11), supplement to code, 1913, relative to the requirements of patients, for admission to the tuberculosis sanitarium at Oak Dale, Iowa.

Read first and second time and referred to committee on board of control.

## INTRODUCTION OF BILLS.

By Senator Horchem, Senate File No. 323, a bill for an act to legalize the transfer of funds by the City Council of the City of Dubuque.

Read first and second time and referred to committee on judiciary No. 2.

## RESOLUTION OF APPRECIATION.

Senator Kimball offered the following resolution:

*Re It Resolved by the Senate of the Thirty-eighth General Assembly of Iowa:*

*That, Whereas, Secretary pro tempore A. C. Gustafson has made it possible by the tender of his services as acting secretary of the Senate to permit Captain Thomas Watters, Jr., to retain his position until he could return from the field of service in Europe.*

*Whereas, Secretary Gustafson has served this Senate faithfully and to the great convenience of the senators and to the welfare of the people of the state, now therefore,*

*Be It Resolved, That the Senate hereby express its appreciation of the services of its secretary pro tempore for this session, and by this resolution extends to Secretary A. C. Gustafson a vote of thanks for his distinguished services.*

*Be It Further Resolved, that an engrossed copy of this resolution be furnished to Secretary A. C. Gustafson signed by the lieutenant governor of the state.*

By unanimous consent the resolution was taken up, considered and adopted.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 88, a bill for an act to repeal the law as it appears in sections one (1), two (2), three (3), five (5), six (6), and seven (7), chapter two hundred sixty-six (266), acts of the Thirty-seventh General Assembly; and to repeal sections twenty-two hundred ninety-one-b (2291-b), twenty-six hundred eight (2608), twenty-seven hundred (2700), and fifty-seven hundred eighteen (5718), supplement to the code, 1913; and sections twenty-six hundred ninety-one (2691), and twenty-seven hundred thirteen (2713), supplemental supplement to the code, 1915; and to enact substitutes

therefor and to amend section twenty-seven hundred twenty-seven-a85 (2727-a85), supplement to the code, 1913; and to amend chapter three hundred sixty-two (362), acts of the Thirty-seventh General Assembly; and to amend paragraph seven (7), section twenty-seven hundred twenty-seven-a96 (2727-a96), supplemental supplement to the code, 1915; relating to the support funds for the various state institutions under the supervision of the board of control of state institutions.

EUGENE SCHAFFTER, *Chairman*.

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter 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. 88, a bill for an act to repeal the law as it appears in sections one (1), two (2), three (3), five (5), six (6), and seven (7), chapter two hundred sixty-six (266), acts of the Thirty-seventh General Assembly; and to repeal sections twenty-two hundred ninety-one-b (2291-b), twenty-six hundred eight (2608), twenty-seven hundred (2700), and fifty-seven hundred eighteen (5718), supplement to the code, 1913; and sections twenty-six hundred ninety-one (2691), and twenty-seven hundred thirteen (2713), supplemental supplement to the code, 1915; and to enact substitutes therefor and to amend section twenty-seven hundred twenty-seven-a85 (2727-a85), supplement to the code, 1913; and to amend chapter three hundred sixty-two (362), acts of the Thirty-seventh General Assembly; and to amend paragraph seven (7), section twenty-seven hundred twenty-seven-a96 (2727-a96), supplemental supplement to the code, 1915; relating to the support funds for the various state institutions under the supervision of the board of control of state institutions.

EUGENE SCHAFFTER,

*Chairman Senate Committee.*

WILL L. KING,

*Chairman House Committee.*

Adopted.

#### HOUSE CONCURRENT RESOLUTION.

*Resolved by the House, the Senate concurring,* that there be a joint convention of the two Houses at 10:30 a. m. Thursday, March 6th, to receive a message from the Governor of Iowa.

By unanimous consent the resolution was taken up for consideration, and on motion of Senator Whitmore the Senate concurred in the resolution.

By unanimous consent, on request of Senator Stoddard, Senate File No. 299 was withdrawn from committee on judiciary No. 2 and referred to committee on agriculture.

On motion of Senator Whitmore, the Senate adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

Senate resumed consideration of House File No. 302, which was made a special order for this time.

Senator Arney withdrew the amendment previously offered by him.

Senator Wilson withdrew the amendment previously offered by him.

Senator Arney offered the following amendment and moved its adoption:

Amend by inserting between the words "and" and "shall" in the 48th line of section 2 the following:

"upon all matters referred to them by him,"

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes: 40.

Adams	Greenell	Proudfoot
Anderson	Hale	Rainbow
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Shane
Broxam	Kimberly	Smith
Byington	LeCompte	Stephenson
Cessna	Meredith	Stoddard
Edwards	Nelson	Thompson
Evans	Newberry	White
Fellows	Pitt	Whitmore
Foskett	Price	Wilson
Fralley		

Nays: None.

Absent or not voting: 10.

Buser	Mitchell	Scott
Coburn	Parker	Taylor
Foster	Ratcliff	Van Alstine,
Kingland		

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Arney offered the following amendment to the title and moved its adoption:

Amend the title by striking out all after the figures "1913" in the fifth line and inserting in lieu thereof the following: "pertaining to the election of a county board of education and defining their duties".

The amendment was adopted and the title as amended was agreed to.

#### SENATE FILES WITHDRAWN.

By unanimous consent, Senator Newberry withdrew Senate File No. 245 from further consideration.

By unanimous consent Senator Smith withdrew Senate File No. 28 from further consideration.

#### BILLS SIGNED BY THE GOVERNOR.

A communication was received from the Governor saying that he had on February 21st approved and signed Senate File No. 13 and had on March 3d approved and signed Senate Files Nos., 47 and 98.

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate File No. 88.

Senator Whitmore was called to the chair at 2:10.

#### THIRD READING OF BILLS.

On motion of Senator Brookhart, Senate File No. 131, a bill for an act to repeal section one thousand six hundred forty-one-three (1641-r3) of the Supplemental Supplement to the code, 1915, and enacting a substitute therefor, amending section one

thousand six hundred forty-one-r eleven (1641-r11) of the Supplemental Supplement to the code, 1915, and amending section one thousand six hundred forty-one-r thirteen (1641-r13) of the Supplemental Supplement to the code, 1915, relating to the filing and recording of articles of incorporation of co-operative associations, the issuing of certificates of incorporation therefor, the issuing of stock therein, the declaring of dividends of such corporations and providing for notice of incorporation, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted.

Amend by striking out the word "eight" in the fourth line of section two and inserting in lieu thereof the word "seventh".

Senator Brookhart 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 vote was:

Ayes: 40.

Adams	Frailey	Price
Anderson	Greenell	Rainbow
Arney	Hale	Reed
Balkema	Haskel	Rule
Ball	Holdoegel	Schaffter
Brookhart	Horchem	Shane
Broxam	Kimball	Smith
Buser	Kimberly	Stephenson
Byington	LeCompte	Stoddard
Cessna	Meredith	Thompson
Edwards	Nelson	White
Evans	Newberry	Whitmore
Fellows	Pitt	Wilson
Foskett		

Nays: None.

Absent or not voting: 10.

	Kingland	Ratcliff
	Mitchell	Scott
Coburn	Parker	Taylor
Foster	Proudfoot	Van Alstine

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 Byington Senate File No. 274, a bill for an act to amend section nineteen hundred eighty-nine-a twenty-six (1989-a26) and section nineteen hundred eighty-nine-a twenty-seven (1989-a27) of the supplement to the code, 1913, relating to length of time for which bonds may be issued and payment made, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Byington offered the following amendment and moved its adoption:

I move to amend the bill by striking out in line four of section one all of said line after the word "thereof" and inserting in lieu thereof the words: "not less than ten nor more than twenty".

By striking out in line four in section two all of said line after the word "thereof" and inserting the words, "not more than twenty".

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption:

I move to amend Senate File No. 274 by striking from line 3 of section one the word "seventeen" and inserting the word "sixteen" in lieu thereof, and by striking from line 3 of section two the word "eighteen" and inserting the word "seventeen" in lieu thereof.

The amendment was adopted.

Senator Byington 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 vote was:

Ayes: 40.

Adams	Frailey	Price
Anderson	Greenell	Rainbow
Arney	Hale	Reed
Balkema	Haskell	Rule
Ball	Holdcegel	Schaffter
Brookhart	Horchem	Shane
Broxam	Kimball	Smith
Buser	Kimberly	Stephenson
Byington	LeCompte	Stoddard
Cessna	Meredith	Thompson
Edwards	Nelson	White
Evans	Newberry	Whitmore
Fellows	Pitt	Wilson
Foskett		



Nays: None.

Absent or not voting: 10.

Coburn  
Foster  
Kingland  
Mitchell

Parker  
Proudfoot  
Ratcliff

Scott  
Taylor  
Van Alstine

So the bill having received a constitutional majority was declared to have passed the Senate.

By unanimous consent the words "of the" were stricken from line 3 of the title and the title as amended was agreed to.

On motion of Senator Balkema House File No. 94, a bill for an act to forbid the crying of sales of property by certain non-residents, making the violation thereof unlawful, and providing a penalty therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Balkema 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 vote was:

Ayes: 39.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Brookhart  
Broxam  
Buser  
Byington  
Cessna  
Edwards  
Evans  
Fellows

Foskett  
Fralley  
Greenell  
Hale  
Haskell  
Holdoegel  
Horchem  
Kimball  
Kimberly  
LeCompte  
Meredith  
Nelson  
Newberry

Price  
Rainbow  
Reed  
Rule  
Schaffter  
Shane  
Smith  
Stephenson  
Stoddard  
Thompson  
White  
Whitmore  
Wilson

Nays: 1.

Pitt

Absent or not voting: 10.

Coburn	Parker	Scott
Foster	Proudfoot	Taylor
Kingland	Ratcliff	Van Alstine
Mitchell		

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 Schaffter House File No. 119, a bill for an act amending section thirty-one hundred four (3104) of the code, relative to the filing of claims for labor and material used in the construction of public buildings and fixing the time within which action may be brought to enforce the same, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes: 40.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Shane
Broxam	Kimberly	Smith
Buser	LeCompte	Stephenson
Byington	Meredith	Stoddard
Cessna	Nelson	Thompson
Edwards	Newberry	White
Evans	Pitt	Whitmore
Fellows	Price	Wilson
Foskett		

Nays: None.

Absent or not voting: 10.

Coburn	Mitchell	Scott
Foster	Parker	Taylor
Fralley	Proudfoot	Van Alstine
Kingland		

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Schaffter offered the following amendment to the title and moved its adoption:

Amend the title by striking from line two the word "filing" and inserting in lieu thereof the word "release".

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Kimball House File No. 132, a bill for an act to amend section nineteen hundred eighty-nine-a-thirty-seven (1989-a37) of the supplement to the code, 1913, as amended by chapter three hundred forty-four (344) of the acts of the Thirty-seventh General Assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes: 30.

Adams	Foskett	Proudfoot
Anderson	Haskell	Rainbow
Arney	Holdoegel	Ratcliff
Brookhart	Horchem	Rule
Broxam	Kimball	Shane
Byington	Kimberly	Smith
Cessna	Nelson	Stephenson
Edwards	Newberry	Stoddard
Evans	Pitt	White
Fellows	Price	Whitmore

Nays: 5.

Ball	Hale	Wilson
Buser	Thompson	

Absent or not voting: 15.

Balkema	Kingland	Reed
Coburn	LeCompte	Schaffter
Foster	Meredith	Scott
Fralley	Mitchell	Taylor
Greenell	Parker	Van Alstine

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Kimball offered the following amendment to the title and moved its adoption:

Amend the title by striking out the period at the end of the title and adding thereto the following:

"and relating to the powers of joint drainage boards."

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Holdoegel Senate File No. 243, a bill for an act to amend the law as it appears in chapter two hundred and fifteen (215) of the acts of the Thirty-fourth (34) General Assembly relating to the apportionment of the state into representative districts and declaring the ratio of representation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Holdoegel 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 vote was:

Ayes: 39.

Adams	Foskett	Proudfoot
Anderson	Fralley	Rainbow
Arney	Greenell	Ratcliff
Balkema	Hale	Reed
Ball	Haskell	Rule
Brookhart	Holdoegel	Shane
Broxam	Horchem	Smith
Buser	Kimball	Stephenson
Byington	Kimbery	Stoddard
Cessna	Nelson	Thompson
Edwards	Newberry	White
Evans	Pitt	Whitmore
Fellows	Price	Wilson

Nays: None.

Absent or not voting: 11.

Coburn	Meredith	Scott
Foster	Mitchell	Taylor
Kingland	Parker	Van Alstine
LeCompte	Schaffter	

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

## SPECIAL ORDER.

On motion of Senator Evans, Senate File No. 53 was made a special order for Tuesday, March 11th, at 10:30 a. m.

## LEAVE OF ABSENCE.

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

On request of Senator Ratcliff leave of absence was granted Senator Van Alstine for the day.

On request of Senator Cessna leave of absence was granted Senator Scott for the day.

On request of Senator Arney leave of absence was granted Senator Parker for the day.

On request of Senator Ball leave of absence was granted Senator Taylor for the day.

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

On request of Senator Pitt leave of absence was granted Senator Coburn for the day.

## REPORT OF SPECIAL COMMITTEE.

Senator Evans presented the following report:

MR. PRESIDENT—Your committee to whom was referred the report of H. M. Havner, attorney general, as to compensation paid and expenses of peace officers employed under chapter 231 of the acts of the Thirty-seventh General Assembly ask leave to report that they have had the same under consideration and submit the following report in regard thereto:

That on the 22d day of January, 1919, the Senate adopted the following resolution:

*Whereas*, by the provisions of chapter two hundred thirty-one (231) of the laws of the Thirty-seventh General Assembly, the governor and attorney general were authorized to call to their aid any peace officer in the state for the purpose of rendering assistance in procuring evidence, ferreting out crime, prosecuting law violators or otherwise enforcing the law; and

*Whereas*, they were authorized by the terms of said chapter to expend

not to exceed twenty-five thousand dollars (\$25,000.00) for the compensation and expense of such officers or persons.

*Be It Resolved:* That the governor and attorney general be and they are hereby requested to furnish to this body a statement of the names and addresses of such peace officers or persons and the compensation paid to such peace officers or persons during the last biennium.

*Be It Further Resolved:* That a copy of such reports be printed and placed upon the desk of each senator.

That on the 20th day of February, 1919, the attorney general filed with the president of this Senate the following statement:

"In accordance with Senate Resolution by Evans, adopted January 22, 1919, the following statement of compensation paid and expenses of peace officers or persons, together with their addresses, who have been employed under chapter 231, acts of the Thirty-seventh General Assembly, from April 18, 1917, the date the act went into effect, up to and including December 31, 1918, is herewith submitted.

H. M. HAVNER, *Attorney General.*"

To which was attached an itemized list of the names of the said persons or peace officers together with their addresses and their compensation and expenses and the number of the warrant going to each person; that the report was not tabulated with the total footing going to each person nor was the whole amount paid out, computed and set out in the statement; that your committee has tabulated the said report showing the names of the persons paid, the total amount paid to each, both for salary and expenses and the grand totals with the names of the persons set out in alphabetical order; that it appears that there were one hundred twenty-one (121) different persons employed; that the total paid out for salary and expenses for the period commencing April 18, 1917, up to and including December 31, 1918, is as follows:

For salary .....	\$26,752.30
For expenses .....	24,913.69
	<hr/>
Total salary and expenses .....	\$51,665.99

That the tabulated report of your committee is attached hereto and marked Exhibit "A" and made a part hereof.

Your committee asks that this report be printed in the Journal.

Respectfully submitted,

W. T. EVANS,  
 H. I. FOSKETT,  
 H. C. WHITE.

Name and Address	Salary	Expenses	Total
H. A. Alber, Des Moines, Iowa.....	\$ .....	\$ 9.92	\$ 9.92
G. W. Atkins, Des Moines, Iowa.....	125.00	267.69	392.69
Edith G. Awe, Washington, D. C.....	.....	5.00	5.00
C. F. Bachelor.....	34.10	.....	34.10
C. S. Barclay, Des Moines, Iowa.....	66.00	124.24	190.24
P. D. Barrett.....	30.00	.....	30.00
A. M. Bartlett.....	.....	12.00	12.00
C. Best.....	15.00	30.04	45.04
E. R. Bigelow.....	6.00	2.93	8.93
J. R. Bonham, Des Moines, Iowa.....	.....	12.08	12.08
L. P. Bostwick, Davenport, Iowa.....	546.00	789.32	1,335.32
H. W. Brandt, Des Moines, Iowa.....	11.50	.....	11.50
C. M. Brooke, Des Moines, Iowa.....	120.00	47.62	167.62
B. O. Bruington, Council Bluffs, Iowa...	15.00	.....	15.00
W. A. Cagle, Chester, Iowa.....	5.00	.....	5.00
Wm. Caldwell, Albia, Iowa.....	3.00	9.47	12.47
H. H. Carter, Corydon, Iowa.....	.....	13.05	13.05
R. T. Chapman.....	.....	4.85	4.85
Geo. Chittick.....	.....	11.29	11.29
Sam Christensen, Des Moines, Iowa....	.....	13.21	13.21
M. Clayman, Des Moines, Iowa.....	15.00	39.91	54.91
A. W. Coquette, Atlantic, Iowa.....	100.00	134.24	234.24
J. B. Corrie.....	.....	30.19	30.19
D. M. Cox, Grinnell, Iowa.....	190.89	113.29	304.18
James Craig, Des Moines, Iowa.....	311.00	168.29	479.29
F. C. Crane.....	15.00	.....	15.00
Ed Crawford.....	20.00	53.71	73.71
U. L. Crawford, Des Moines, Iowa.....	1,545.00	1,052.43	2,597.43
W. J. Cure, Maxwell, Iowa.....	12.00	23.07	35.07
B. W. Davis, Des Moines, Iowa.....	9.00	15.00	24.00
A. H. Day, Des Moines, Iowa.....	30.00	90.92	120.92
R. C. Duffis, Des Moines, Iowa.....	.....	7.20	7.20
Jack Farrand, Marshalltown, Iowa.....	916.00	1,101.37	2,017.37
F. F. Faville, Fort Dodge, Iowa.....	1,722.41	.....	1,722.41
J. J. Ferguson.....	46.00	.....	46.00
J. E. Fessler, Cedar Rapids, Iowa.....	361.58	355.18	716.76
Frank Fisher, Fort Dodge, Iowa.....	292.00	346.42	638.42
L. A. Fisher, Fort Dodge, Iowa.....	1,161.00	813.20	1,974.20
F. A. Fenning, Washington, D. C.....	.....	20.00	20.00
F. R. Flynn.....	.....	72.89	72.89
D. E. Garrett.....	51.00	24.71	75.71
J. E. Gates, Red Oak, Iowa.....	.....	1.85	1.85
H. E. Gay.....	17.50	27.05	44.55
G. E. Gillespie.....	12.00	14.86	26.86
Shirley Gilliland.....	.....	47.38	47.38
F. C. Gilmore, McGregor, Iowa.....	380.00	309.68	689.68
G. H. Giltner.....	10.00	.....	10.00
Dr. Glueck, Ossining, N. Y.....	25.00	.....	25.00
C. G. Gray, Charles City, Iowa.....	.....	45.56	45.56
P. G. Griffin, Des Moines, Iowa.....	.....	7.87	7.87
J. B. Hammond, Des Moines, Iowa.....	102.00	149.60	251.60
J. B. Hammond, Des Moines, Iowa.....	2,785.00	2,172.76	4,957.76
M. S. Hammond, Des Moines, Iowa....	144.50	91.81	236.31
F. C. Huebner.....	15.00	.....	15.00
J. H. Hull, Des Moines, Iowa.....	.....	31.90	31.90
L. S. Jones, Des Moines, Iowa.....	15.00	40.17	55.17
W. R. C. Kendrick, Des Moines, Iowa....	175.00	6.95	181.95
Joe Kroulik, Des Moines, Iowa.....	.....	12.26	12.26
F. Kruecher, Anamosa, Iowa.....	1,367.67	1,501.37	2,869.04
R. C. Lahman, Missouri Valley, Iowa....	.....	31.90	31.90
E. D. Lamb, Des Moines, Iowa.....	.....	7.20	7.20

Name and Address	Salary	Expenses	Total
Olive Lash, Alta Pass, Ill.		4.50	4.50
L. C. Lent, Montezuma, Iowa		23.36	23.36
Robt. Leasure, Des Moines, Iowa		9.99	9.99
Jas. C. Leathers	89.80	17.30	107.10
R. F. Longman, Logan, Iowa	10.00		10.00
J. C. Mabry	50.00		50.00
Geo. Mahoney		36.00	36.00
A. S. Martin, Atlantic, Iowa	6.00		6.00
Mike Marvos, Vinton, Iowa	652.50	1,358.80	3,011.30
C. J. Mather		111.79	111.79
A. G. McBurney	16.50	4.29	20.79
B. W. McComber	165.00	189.59	354.59
F. E. McGrath, Des Moines, Iowa		53.13	53.13
Ruth McKissick	5.00		5.00
H. L. McMillan, Des Moines, Iowa		21.95	21.95
C. A. Meredith, Atlantic, Iowa		13.00	13.00
H. F. Meyers, Des Moines, Iowa	14.00	63.30	77.30
Leo V. Meyers, Red Oak, Iowa		7.05	7.05
M. O. Meyers, Red Oak, Iowa		38.00	38.00
F. J. Mordorst, Davenport, Iowa	84.00	134.23	218.23
Sam Morris	5.00		5.00
C. J. Mullan		118.19	118.19
Joe Newell, Des Moines, Iowa	33.00	111.54	144.54
Thos. O'Leary, Kansas City, Mo.	47.25		47.25
T. W. Passwater, Indianola, Iowa	2,150.00	1,781.88	3,931.88
S. R. Piper, Tama, Iowa	6.00	2.68	8.68
W. A. Porter, Des Moines, Iowa	1,160.50	1,106.06	2,266.56
M. Quiones, Sioux Falls	42.00		42.00
Ira J. Reed, Marengo, Iowa		13.20	13.20
Jas. W. Reed		25.50	25.50
Jno. Reid, Jr.		4.85	4.85
C. A. Reynolds, Hamburg, Iowa		14.70	14.70
W. B. Reynolds, Anamosa, Iowa	8.25	16.15	24.40
J. E. Riaden, Cedar Rapids, Iowa	2,868.34	2,581.15	5,449.49
Wm. Robinson		49.00	49.00
W. H. Rodebaugh	6.00	42.50	48.50
Charles Roe, Des Moines, Iowa		10.00	10.00
F. C. Schroeder	84.00	81.16	165.16
Frank Shinn		17.30	17.30
W. A. Size, Marshalltown, Iowa	2,349.00	2,221.77	4,570.77
W. W. Skinner, Des Moines, Iowa		9.04	9.04
F. A. Stocum, Massena, Iowa	411.50	480.57	892.07
M. W. Sneath, Mount Ayr, Iowa	28.00	23.41	51.41
M. K. Spencer, Red Oak, Iowa		6.95	6.95
J. D. Stanton	14.00	9.82	23.82
F. B. Stoke	35.00		35.00
G. V. Streeter, Cedar Rapids, Iowa	50.00	31.05	81.05
S. A. Streeter, Cedar Rapids, Iowa	50.00	30.85	80.85
J. F. Stringer	6.00	1.62	7.62
Roger Sweeney		12.08	12.08
J. W. Teeter	35.00	23.21	58.21
H. W. Terrell, Mount Ayr, Iowa	3,065.01	2,857.27	5,922.28
P. Van Wagoner, Ida Grove, Iowa	301.00	484.24	785.24
C. G. Watkins, Des Moines, Iowa		18.13	18.13
H. D. White, Charles City, Iowa	12.00	26.68	38.68
M. L. Whitney, Centerville, Iowa	45.50	70.57	116.07
J. A. Williams, Council Bluffs, Iowa		68.87	68.87
F. E. Wilson	15.00	7.24	22.24
R. H. Winegarden	9.00	27.09	36.09
Thos. E. Wright		116.19	116.19
Totals	\$26,752.30	\$24,913.69	\$51,665.99



## SENATE FILE NO. 27 REINSTATED.

Senator Buser asked permission to have Senate File No. 27 reinstated, the same having been withdrawn from further consideration on February 10th.

By unanimous consent permission was granted and the bill was re-referred to the committee on motor vehicles.

## CORRECTION OF JOURNAL.

The journal of February 26th was corrected and approved.

On motion of Senator Wilson, Senate adjourned until 9:30 a. m. Thursday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 6, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. Chas. L. Ellis, Pastor of the M. E. Church of Douds.

## PETITIONS AND MEMORIALS.

Senator Evans presented a remonstrance of citizens of Waverly against the Dean bill.

Referred to committee on schools.

Senator Reed presented a remonstrance of citizens of Wineshiek county against bond issue for paved roads.

Referred to committee on highways.

Senator Buser presented a remonstrance of citizens of Louisa county against bond issue for paved roads.

Referred to committee on highways.

Senator Byington presented a petition of citizens of Iowa county favoring federal farm loan bonds.

Referred to committee on banks and banking.

Senator Nelson presented a remonstrance of citizens of Cass county against bond issue for paved roads.

Referred to committee on highways.

Senator Edwards presented a petition of citizens of Boone county favoring federal farm loan bonds.

Referred to committee on banks and banking.

Senator Meredith presented a remonstrance of citizens of Jasper county against bond issue for paved roads.

Referred to committee on highways.

Senator Thompson presented a remonstrance of citizens of Des Moines county against bond issue for paved roads.

Referred to committee on highways.

#### INTRODUCTION OF BILLS.

By Senator Frailey, Senate File No. 324, a bill for an act to amend the law as it appears in section thirteen hundred thirty-three-d, (1333-d), Supplement to the Code, 1913, relating to taxation of the monies and credits of domestic insurance corporations, and fixing the basis upon which such tax shall be calculated.

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

By Senator Frailey, Senate File No. 325, a bill for an act relating to the investment of funds by insurance companies.

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

By Senator Rule, Senate File No. 326, a bill for an act repealing Sections 5239-N and 5239-O of Chapter 12-A, Supplement to the Code, 1913, and enacting substitutes therefor relating to arraignments, pleas, and judgments on written pleas of guilt in prosecutions on information filed by the County Attorney.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Rule, Senate File No. 327, a bill for an act to amend section three hundred thirteen (313), Supplement to the Code, 1913, relating to the admission to the bar of practitioners from other states.

Read first and second time and referred to committee on judiciary No. 1.

#### REPORTS OF COMMITTEES.

Senator Wilson, from the committee on Judiciary No. 1, submitted the following report:

Mr. President—Your committee on judiciary No. 1, to whom was referred Senate File No. 232, a bill for an act to amend sections three thousand one hundred forty-two (3142) of the Code relating to the issuance of marriage license, 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:

Amend by correcting the spelling of the word "fruther" in the third line of the second paragraph of section one (1), and by substituting a period in place of the comma following the word "addresses" in the sixth line of the second paragraph of section one (1), and by striking out the rest of said paragraph and by striking out all of section two (2).

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 267, a bill for an act to amend Chapter two hundred sixty-seven (267) of the laws of the 37th General Assembly, relating to the selection of grand and petit juries, 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:

Amend by substituting for the words "one or more" in line eight of section five (5) the words "any two".

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 281, a bill for an act defining the crime of criminal syndicalism and

prescribing punishment therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 111, a bill for an act to amend section two thousand and nine (2009) and two thousand and twenty-four-d (2024-d) of the Supplement to the Code, 1913, relating to condemnation of land for state purposes, 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:

Amend by striking out all of Section one (1) and by renumbering and amending Section two (2) as follows: Section 1. That section two thousand and nine (2009) supplement to the Code, 1913, be amended by striking out all of said section after the word "defendant" in the eighth line of said section. Also by amending the title so as to read as follows: "A bill for an act to amend section two thousand and nine (2009) supplement to the code, 1913, relating to condemnation of land for state purposes.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 209, a bill for an act to amend section four thousand six hundred sixty-one (4661), of the Code relating to witness fees, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Senator Parker, 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. 139, a bill for an act to amend section Eight Hundred and Forty-A (840-a) of the Supplement to the Code, 1913, 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:

Amend by substituting the comma for the period at the end of the title and inserting thereafter the words "pertaining to sewers and certain statutes applicable to towns."

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 189, a bill for an act to amend section two hundred fifty-four A six (254-A6), 1913 Supplement to the Code, relating to trust funds of cemeteries in perpetual care, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 131, a bill for an act to repeal chapter three hundred eighty-four of the laws of the thirty-seventh General Assembly, relating to a tax levy for park improvement purposes, and to enact a substitute therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 116, a bill for an act to amend Chapter 23 of the Acts of the thirty-seventh general assembly, relating to pensions for police officers, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred Senate File No. 140, a bill for an act to amend Chapter 5, Title V, Supplement to the Code, 1913, relating to the purchase and construction of water works and extending the scope thereof to electric light and power, heating, and gas plants, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman*.

On motion of Senator Parker the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on cities and towns, to whom was referred Senate File No. 151, a bill for an act to amend section one thousand fifty-six-a-twenty-

five (1056-a25). Supplement to the Code, 1913, relating to the council in cities operating under the commission plan of government assuming the powers of the board of water works trustees, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman*.

On motion of Senator Parker the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on cities and towns, to whom was referred House File No. 134, a bill for an act granting to cities the power to adopt by ordinance a double platoon system for members of the Fire Department, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman*.

On motion of Senator Parker the report of the committee was adopted and the bill indefinitely postponed.

On motion of Senator Evans, rule 33 was suspended for the day.

#### THIRD READING OF BILLS.

On motion of Senator Stoddard, Senate File No. 175, a bill for an act to provide for the establishment of part-time schools and classes in aid of vocational and other education for children holding permits under the provisions of the law relating to child labor and for certain other minors between the ages of fourteen (14) and sixteen (16) and to provide for compulsory attendance thereon, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Stoddard 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 vote was:

Ayes, 42.

Adams	Greenell	Price
Anderson	Haie	Rainbow
Arney	Haskell	Ratcliff
Broxam	Holdoegel	Reed
Buser	Horchem	Rule
Byington	Kimball	Scott
Cessna	Kimberly	Shane
Coburn	LeCompte	Smith
Edwards	Meredith	Stephenson
Evans	Mitchell	Stoddard
Fellows	Nelson	Thompson
Foskett	Newberry	White
Foster	Parker	Whitmore
Fralley	Pitt	Wilson

Nays, none.

Absent or not voting, 8:

Balkema	Kingland	Taylor
Ball	Proudfoot	Van Alstine
Brookhart	Schaffter	

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 Anderson, Senate File No. 236, a bill for an act to amend the law as it appears in Section Twenty-eight Hundred Twenty-d-four (2820-d-4), Supplement to the Code, 1913, relating to the vote required to authorize the issuance of bonds and to legalize elections hereintofore held in school districts, where a majority of the votes cast at such elections was in favor of issuing bonds and to legalize such 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 Anderson 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 vote was:

Ayes, 43.

Adams	Greenell	Price
Anderson	Hale	Proudfoot
Arney	Haskell	Rainbow
Ball	Holdoegel	Ratcliff
Broxam	Horchem	Reed
Buser	Kimball	Rule
Byington	Kimberly	Schaffter
Cesana	LeCompte	Scott
Coburn	Meredith	Smith
Edwarda	Mitchell	Stephenson
Evans	Nelson	Stoddard
Fellows	Newberry	Thompson
Foskett	Parker	White
Foster	Pitt	Wilson
Frailey		

Nays, none.

Absent or not voting, 7.

Balkema	Shane	Van Alstine
Brookhart	Taylor	Whitmore
Kingland		

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 Frailey, Senate File No. 190, a bill for an act to amend section eight hundred eighty-seven (870) of the Code relating to taxation in cities and towns, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

That section 1 be stricken out and the following substituted therefor:

"SECTION 1. That the law as it appears in section eight hundred eighty-seven (887) of the Code, be and the same is hereby amended by adding thereto the following: The council of each city or town is hereby authorized to levy a tax for the year 1919 and for the year 1920, not exceeding five (5) mills on the dollar, for the purpose of meeting any deficiency in or inadequacy of said ten (10) mill levy."

That the title be amended by striking out all portions of the present title after the words "A BILL FOR AN ACT" and substituting therefor the following:

"To amend section eight hundred eighty-seven (887) of the Code, by authorizing a special extra levy not exceeding five (5) mills for the years 1919 and 1920 for the general fund of all cities and towns."

The bill was read for information.

Senator Frailey 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 vote was:

Ayes, 44.

Adams	Greenell	Proudfoot
Anderson	Hale	Rainbow
Arney	Haskell	Ratcliff
Balkema	Holdoegel	Reed
Ball	Horchem	Rule
Brookhart	Kimball	Schaffter
Broxam	Kimberly	Scott
Byington	LeCompte	Smith
Coburn	Meredith	Stephenson
Edwards	Mitchell	Stoddard
Evans	Nelson	Thompson
Fellows	Newberry	Van Alstine
Foskett	Parker	White
Foster	Pitt	Wilson
Fralley	Price	

Nays, none.

Absent or not voting, 6.

Buser	Kingland	Taylor
Cessna	Shane	Whitmore

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

#### SPECIAL ORDER.

Senator Brookhart moved that Special Order No. 13, House File No. 122, by Dean, be made a special order for Friday, March 7th, at 10:00 a. m.

Senator Wilson moved to amend by making the time 1:30 p. m. today.

The motion as amended prevailed and House File No. 122 was made a special order for today at 1:30.

On motion of Senator Kimball, House File No. 68 was recalled from judiciary No. 2 and referred to judiciary No. 1.

A 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 direction of the sergeant-at-arms.

#### JOINT CONVENTION.

Pursuant to concurrent resolution duly adopted, the joint session was called to order, Hon. Ernest R. Moore, president of the Senate, presiding.

President Moore announced a quorum present and the joint convention duly organized.

Senator Greenell moved that a committee of three be appointed to notify Governor Harding that the joint session was ready to receive him and to escort him to the speaker's station.

Motion prevailed and the president appointed as such committee, Senator Greenell and Representatives Perkins of Sac and Holloway of Fremont.

Senator Greenell, from the special committee appointed to notify the governor that the joint session was ready to receive him, announced the arrival of the Honorable William L. Harding, Governor of Iowa.

Governor Harding was escorted to the speaker's station.

The president of the joint convention then presented Governor William L. Harding, who read the following message:

Members of the Thirty-eighth Assembly of the State of Iowa:

Gentlemen:

The controversy regarding the Rathbun pardon has assumed such proportions that the time has now come when I should discuss it with you with the utmost frankness.

Some may think that I should have broken my silence sooner. In this connection it should be borne in mind that up until the time Rathbun himself went into court and waived the pardon, I assumed, as I had a right to assume, that any reconsideration of the pardon would be brought before me in the regular way and that I would sit in the capacity of judge to determine it. Under these circumstances, it would be ill becoming the

office I have the honor of occupying to publicly discuss the matter or attempt to justify my former decision.

Many innuendoes are floating about that possibly the governor was bribed or accepted money in connection with the granting of this pardon. Let me say to you that if these innuendoes have assumed such proportions in your minds as to create even a doubt, it is your plain and imperative duty to trace them to the utmost limit to ascertain their foundation, for if the governor of this state has acted corruptly or has accepted a bribe, you can perform no more important duty during this session of the legislature than to assemble the evidence and impeach him, and if you think the evidence sufficient to justify placing that stigma upon him, you should proceed to impeachment without delay.

On the other hand, if your investigation convinces you that the evidence would not justify such a proceeding, it is your duty to announce the same so that the people may know the truth.

The right to have the truth known in this matter belongs to the people of this state, it belongs to my family, and it belongs to me personally; and the machinery of my office and all of the resources of the state, so far as I can command them, are at your disposal, and I cordially offer my personal co-operation in any way which you may suggest.

Ordinarily, when an official act of the governor is attacked, he has access to the office of the attorney general of the state for the purpose of counsel and guidance, but in this case, as you no doubt are well aware, the resources of that office are not only not being directed in aid of the governor, but have been used in an effort to annul the official act of the governor in an extraordinary proceeding, disregarding entirely the right of the governor to have the matter submitted to him for correction if error had been made.

If I have acted corruptly, I should be punished, and the limit of the law is none too severe. If I have made an honest mistake, based upon the record before me at the time I acted, that is another and different situation, and one which could have been corrected before me in a regular and orderly proceeding.

What was the record before me at the time I acted?

Before discussing that record, I desire to quote the section of the constitution which vests the pardoning power in the governor, which is as follows: "The governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offenses except treason and cases of impeachment, subject to such regulations as may be provided by law. . . ." Article 4, Section 16, Constitution of Iowa.

The clause, "subject to such regulations as may be provided by law," has been caught up and cited in connection with Section 5718-a23, Supplement to the Code of Iowa, 1913, which is as follows: "It shall be the duty of the board of parole, under the direction of the governor, to take

charge of all correspondence in reference to the pardon of persons convicted of crimes and to carefully investigate each application, and to file its recommendations with the governor with its reasons for the same."

An effort has been made to create the opinion that my method of procedure was irregular in that I did not first submit the application for pardon to the board of parole. In this connection, it must be borne in mind that Section 5718-a23 above quoted was enacted under the subject "Penitentiaries," and the section above quoted merely provides a method by which the governor may have the assistance of the board of parole in case he "directs" it to take charge of the correspondence.

A mere reading of the section last cited removes all doubt as to the governor's authority to pardon on the record without going through the board of parole. That this section imposes no restriction upon the pardoning power but rather affords an instrument through which the governor may have the clerical work done if he so directs is further emphasized by Section 5718-a21, which is a part of the same enactment as Section 5718-a23.

Section 5718-a21 provides as follows: "Nothing in this act contained shall be construed as impairing the power of the governor under the constitution, to grant a reprieve, pardons or commutations of sentence in any case."

It was under this law that I proceeded to act in granting the pardon. If I was in error as to my construction of the statutes above cited, or if an improper record was submitted to me, there was a regular method of procedure to attack the pardon on either of those grounds. I had issued the pardon in the regular and orderly way, as I conceived the law to be, and if I was in error as to the law or if I did not have the proper record before me, those matters could have been and should have been attacked before me in a direct proceeding made by formal application clearly setting out the grounds upon which I had committed error.

It is reported that the pardon was set aside as void by the District Court of Ida County, one of the grounds being that I proceeded illegally.

If this statement was started by anyone who was present at Court in ida Grove at the time the Rathbun pardon was before the Court, it is a malicious falsehood, and if started by someone who was not present, it is simply an ignorant falsehood.

The Judge of the District Court of Ida County has not passed upon that point, but on the contrary did state in open court and in the presence of the attorney general that he would not set the pardon aside on the ground that the governor proceeded irregularly by not referring the matter to the board of parole.

It might be interesting, in the course of your further investigation, to go into just what question the judge did have before him, the shape in which it came before him, and the order made thereon.

If this is done, it will be found that the pardon was set aside by stipulation between the attorneys representing the state and the attorney representing the defendant, and the defendant himself. In other words, a settlement of this important criminal matter appears to have been made between the attorney general and the accused, and it might be interesting to investigate fully the consideration which prompted the defendant to acquiesce in it.

If you will further investigate, you will find that threats were made by the attorney general and his assistants to members of Rathbun's family that if they did not enter into this stipulation surrendering Rathbun and revoking the pardon that indictments and prosecutions would follow against other members of the family, and after the defendant agreed to waive his pardon and consent to the penitentiary sentence no further indictments followed. If any man in this assembly doubts the truth of my statements, I challenge him to proceed with any investigation necessary to apprise himself of just what has taken place in Ida county.

Now, as to the record which was before me at the time I granted the pardon:

Prior to the date of application for the pardon, I had a very casual acquaintance with Rathbun's attorney, George Clark, and I had never heard of Rathbun and his family. When Clark came before me asking for a pardon, I visited with him perhaps fifteen minutes about the case. I then asked him what the judge who tried the case and the county attorney had to say about the pardon. He said that he had not yet talked with them. I told him very frankly that it had been a rule of the governor's office for many years to give great weight to the recommendations of the county attorney and the judge who tried a particular case, and that I would not consider the case until I had received a recommendation from these two parties. This closed our conversation and he left.

Later, he returned with a recommendation from both these officials.

The one from District Judge M. E. Hutchison is in part as follows: "That taking into consideration the circumstances and the evidence introduced upon the trial, and the record there made, I consider that the life sentence imposed by me as judge of said court is too severe, and would recommend that said sentence be commuted to a period at the discretion of your honor, based upon an abstract of the record which will be filed with you."

The one from J. A. Murphy, acting county attorney, was in the language quoted above.

I have known Judge Hutchison for about ten years and know him to be a man of the highest ideals and the strictest integrity, both as a man and a judge, and with the request for clemency coming from him as it did, with knowledge on his part that the defendant had not gone to the penitentiary and had not served a day in jail, it created in my mind the impression that the judge before whom the case was tried himself believed that justice had miscarried. Previous to receiving the judge's communi-

cation, I had read the abstract of the evidence that had been filed in the supreme court and submitted to me, and had concluded from that reading that there was very grave doubt as to whether or not rape had been committed, although there was no doubt that an immoral act had been committed.

The boy was either guilty or innocent of the crime charged in the indictment; if guilty, the sentence pronounced by the court was none too severe; if innocent of the crime charged, any confinement in the penitentiary for that crime was wrong.

I thought if the boy were guilty of the crime charged the judge and county attorney would not recommend clemency before he had served a day in the penitentiary, and I thought from their requests, coming when they did, that the supreme pardoning power of the state was properly invoked to save from the penitentiary a boy who had committed an immoral act, but was not guilty of the crime of rape as charged in the indictment.

The abstract to which I refer and which I read has already been submitted to this body and will be found commencing on page 411 of the Senate Journal of the 12th day of February, 1919.

This abstract, this request by the county attorney and the judge, and the application of Clark, are all of the information I had before me and all of the influences that were brought to bear upon me in connection with the granting of this pardon, save only one, and that, the previous attitude of the attorney general himself, who, while in my office one day, talked with parties at Ida Grove over the phone in reference to Rathbun's testimony in the O'Meara case. From his conversation, which I heard, I gathered the impression that Rathbun was not to be opposed in any attempt for pardon or commutation of sentence by the attorney general's office. After the attorney general's conversation over the phone, he turned to me and said, "This is the Rathbun boy who made a confession which will help us in convicting O'Meara. We will have to be lenient with him," and the substance of his further conversation was that without Rathbun's confession they would be unable to convict O'Meara.

It may be urged that I was deceived in the facts and that fraud was practiced upon me in the record which was submitted to me. That may be true, but you can readily see that it in no way goes to the question of my acting corruptly in what I did. If I erred in acting upon a fraudulent record, my act was void from the beginning. I know that, and every thoughtful person knows it. District courts are constantly setting aside verdicts and granting motions for new trials on the ground that they have committed error on the record which was before them. Our supreme court often grants rehearings and reverses itself on the ground that it has committed error on the record before it, but this does not go to the good faith or integrity of the judge. He simply recognizes his mistake and proceeds to correct it, and I should be the last person to hesitate to correct mine.

When it is believed that a district court or the supreme court has committed error in determining the issues before it, either of law or of fact,

the litigants do not go into some other tribunal but go back to the court where the decision was rendered, presenting the alleged errors to the court and giving that court an opportunity to correct, if it believes error has been made. In this case, the power to pardon vested in the governor is a constitutional power, and the right to ~~revoke~~ the pardon likewise lies with him.

If I was deceived as to the record or proceeded illegally, the proper place to correct either of these errors was by formal application before me to set aside the pardon, indicating clearly the grounds of irregularity. Such an application had not been made up to the time I left the office to come before you.

In closing, let me sum up what I have attempted to present to you, by saying if I have acted corruptly, that fact should be determined and I should be punished. If I have acted contrary to the provisions of the statute or upon a false record, those questions could have been raised before me in a direct proceeding and my error in law pointed out, or the false record corrected by providing me with a true one, and I tell you, gentlemen, without any reservation whatever, that if I had found myself in error, either in law or upon the fact, I should have been glad to correct it and should have thanked those who pointed out the error.

The state has a right to know whether I have acted corruptly or whether I have acted honestly in granting this pardon, and it is for you to determine and inform them, and in this search you have my undivided support.

W. L. HARDING, *Governor.*

Minutes of the joint session were read and approved.

Larson of Montgomery moved that the joint session be now dissolved.

Motion prevailed.

Senate returned from joint session and resumed regular session.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the joint committee on enrolled bills, submitted the following report and moved its adoption:

Your joint committee on enrolled bills respectfully report that they have examined and find correctly enrolled the following bill:

House File No. 204, a bill for an act to legalize articles of adoption executed by the Hillcrest Deaconess Home and Baby Fold, located at Dubuque, Iowa, and to legalize the proceedings of said institution relative to the adoption of minors.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*  
WILL L. KING,  
*Chairman House Committee.*

Adopted.



## BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this day of March, 1919, sent to the governor for his approval, Senate File No. 88, a bill for an act to repeal the law as it appears in sections one (1), two (2), three (3), five (5), six (6), and seven (7), chapter two hundred sixty-six (266), acts of the thirty-seventh general assembly; and to repeal sections twenty-two hundred ninety-one-b (2291-b), twenty-six hundred eight (2608), twenty-seven hundred (2700), and fifty-seven hundred eighteen (5718), supplement to the code, 1913; and sections twenty-six hundred ninety-one (2691), and twenty-seven hundred thirteen (2713), supplemental supplement to the code, 1915; and to enact substitutes therefor and to amend section twenty-seven hundred twenty-seven-a85 (2727-a85), supplement to the code, 1913; and to amend chapter three hundred sixty-two (362), acts of the thirty-seventh general assembly; and to amend paragraph seven (7), section twenty-seven hundred twenty-seven-a96 (2727-a96), supplemental supplement to the code, 1915; relating to the support funds for the various state institutions under the supervision of the board of control of state institutions.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

## AMENDMENTS FILED.

Senator Wilson filed the following amendment to House File No. 121:

I move to amend the committee amendment by striking out all after the word "rendered" in the fifth line thereof and before the word "rendered" in the sixth line thereof.

Senator Buser filed the following amendment to House File No. 121:

I move to amend House File No. 121 by striking from the amendment as adopted in the House the following: "or those of his family by former marriage."

On motion of Senator Wilson, the address of Governor Harding before the joint convention was ordered printed in the journal and 5,000 extra copies of the journal were ordered.

On motion of Senator Kimberly, Senate adjourned until 1:30 p. m. today.

## AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

## THIRD READING OF BILLS.

On motion of Senator Balkema House File No. 122, a bill for an act to amend chapter two hundred thirty-one (231), acts of the thirty-seventh (37) general assembly, by increasing the appropriation from twenty-five thousand dollars (\$25,000.00) to seventy-five thousand dollars (\$75,000.00), with report of committee recommending passage, having been made a special order for this time, was taken up, considered, and the report of the committee adopted.

Senator Ratcliff offered the following amendment and moved its adoption:

I move to amend House File No. 122 by striking out the enacting clause and all words and figures thereafter following.

Senator Price moved the previous question on the pending amendment, which motion prevailed, and the previous question was ordered.

Senator Ratcliff asked for a roll call.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 22.

Adams  
Broxam  
Buser  
Byington  
Edwards  
Evans  
Fralley  
Greenell

Hale  
Haskell  
Horchem  
Kimberly  
Price  
Rainbow  
Ratcliff

Reed  
Scott  
Shane  
Smith  
Thompson  
White  
Wilson

Nays, 25.

Anderson	Holdoegel	Pitt
Arney	Kimball	Proudfoot
Balkema	LeCompte	Rule
Ball	Meredith	Schaffter
Brookhart	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Fellows	Newberry	Van Alstine
Foskett	Parker	Whitmore
Foster		

Absent or not voting, 3.

Cessna	Kingland	Taylor
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The amendment was lost.

Senator Evans offered the following amendment and moved its adoption:

I move to amend House File No. 122 by striking out the words and figures "seventy-five thousand dollars, (\$75,000.00)" in line six (6) and inserting in lieu thereof "thirty-seven thousand five hundred dollars, (\$37,500.00)."

Senator Price moved that the Senate adjourn until 9:30 a. m. Friday.

Motion lost.

Senator Pitt moved the previous question on the pending amendment, which motion prevailed, and the previous question was ordered.

Senator Evans asked for a roll call.

On the question, "Shall the amendment be adopted?" the vote was:

## Ayes, 32.

Adams	Hale	Ratcliff
Ball	Haskell	Reed
Broxam	Horchem	Rule
Buser	Kimball	Scott
Dyington	Kimberly	Shane
Coburn	Mitchell	Smith
Edwards	Nelson	Stephenson
Evans	Parker	Thompson
Fellows	Pitt	White
Frailley	Price	Wilson
Greenell	Rainbow	

## Nays, 15.

Anderson	Foster	Proudfoot
Arney	Holdoegel	Schaffter
Balkema	LeCompte	Stoddard
Brookhart	Meredith	Van Alstine
Foskett	Newberry	Whitmore

## Absent or not voting, 3.

Cessna	Kingland	Taylor
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The amendment was adopted.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend the bill by inserting after the figures "\$37,500.00" the words "and by substituting the word 'and' for the word 'or' in the fifth line of section one."

On the question, "Shall the amendment be adopted?" the vote was:

## Ayes, 20.

Broxam	Haskell	Ratcliff
Dyington	Horchem	Reed
Edwards	Kimball	Smith
Evans	Kimberly	Thompson
Frailley	Mitchell	White
Greenell	Price	Wilson
Hale	Rainbow	

Nays, 26.

Adams	Foskett	Proudfoot
Anderson	Foster	Rule
Arney	Hodoegel	Schaffter
Balkema	LeCompte	Scott
Ball	Meredith	Stephenson
Brookhart	Nelson	Stoddard
Buser	Newberry	Van Alstine
Coburn	Parker	Whitmore
Fellows	Pitt	

Absent or not voting, 4.

Cassna	Shane	Taylor
Kingland		

The amendment was lost.

Senator Frailey offered the following amendment and moved its adoption:

I move to amend House File No. 122 by adding thereto the following:

Sec. 2. Any person or persons other than peace officers already under bond, so selected or appointed by the governor or attorney general shall be required to give bond to the state of Iowa in the sum of five thousand dollars (\$5,000).

Also renumber section 2 as section 3.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 27.

Anderson	Horchem	Rule
Broxam	Kimball	Scott
Buser	Kimberly	Smith
Edwards	Mitchell	Stephenson
Evans	Pitt	Stoddard
Frailey	Price	Thompson
Greenell	Rainbow	Van Alstine
Hale	Ratcliff	White
Haskell	Reed	Wilson

Nays, 17.

Adams	Coburn	Newberry
Arney	Fellows	Parker
Balkema	Foskett	Proudfoot
Ball	LeCompte	Schaffter
Brookhart	Meredith	Whitmore
Byington	Nelson	

Absent or not voting, 6.

Cessna	Holdoegel	Shane
Foster	Kingland	Taylor

The amendment was adopted.

Senator Haskell offered the following amendment and moved its adoption:

I move to amend House File 122 by adding thereto the following:

Sec. 4. All expenditures made by the governor or attorney general out of the appropriation provided for in this act shall be audited by the state executive council before payment shall be made and a record of all such expenditures in detail and the purposes for which such expenditures are incurred shall be kept by and under the direction of the state executive council.

The amendment was adopted.

Senator Evans offered the following amendment and moved its adoption:

I move to amend House File No. 122 by adding thereto the following:

Sec. 5. That chapter 231 of the acts of the 37th General Assembly be amended by adding thereto the following:

"However, the attorney general and the state agents are hereby prohibited from making any costs to any county in the state unless the prosecution which they bring or may bring is authorized by a judge of the judicial district of which said county is a part."

Senator Price moved the previous question on the amendment and the bill, which motion prevailed and the previous question was ordered.

The amendment by Senator Evans was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 31.

Adams	Greenell	Pitt
Balkema	Hale	Price
Ball	Haskell	Rainbow
Broxam	Horchem	Reed
Buser	Kimball	Rule
Byington	Kimberly	Scott
Coburn	LeCompte	Stephenson
Edwards	Meredith	Thompson
Evans	Mitchell	White
Fellows	Nelson	Wilson
Fralley		

Nays, 14.

Anderson	Newberry	Smith
Arney	Parker	Stoddard
Brookhart	Proudfoot	Van Alstine
Foskett	Ratcliff	Whitmore
Holdoegel	Schaffter	

Absent or not voting, 5.

Cessna	Kingland	Taylor
Foster	Shane	

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Wilson proposed the following amendment to the title:

I move to amend the title by striking all after the word "Assembly" in the second line and inserting in lieu thereof the following:

"relating to peace officers appointed by the governor or attorney general, requiring them to give bond, providing for the auditing of their ac-

counts, prohibiting the making of costs to any county under certain restrictions, and increasing the appropriation therefor."

The amendment was adopted and the title was agreed to.

MOTION TO RECONSIDER.

I hereby move to reconsider the vote by which House File No. 122 passed the Senate.

N. BALKEMA.

On motion of Senator Proudfoot, Senate adjourned until 9:30 a. m. Friday.



# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 7, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. Ivan R. Mills, pastor of the M. E. church of Nodaway.

## LEAVE OF ABSENCE

On request of Senator Hale, leave of absence was granted Senator Foskett for the day.

## ASSISTANT ON ENROLLED BILLS.

Senator Rule offered the following resolution:

*Whereas*, the duties of the chairman on enrolled bills are so continuous and the work devolving upon said chairman requires almost the entire time of such chairman and prevents him from giving the attention that he desires to matters pending on the floor, and

*Whereas*, such duties as develop upon such committee should not be actually performed by the individual work of the chairman of the committee but more in a supervisory connection; now therefore,

I move that A. C. Gustafson, Secretary Pro Tem of the Senate, be assigned to the committee on enrolled bills for the performance of such work and duties as may be assigned to him by the chairman of said committee, such duties to be in addition to those of secretary Pro Tem of the Senate.

By unanimous consent the resolution was taken up, considered and adopted.

## PETITIONS AND MEMORIALS.

Senator Evans presented a remonstrance of members of the St. John's Lutheran church of Waverly, against the Dean bill.

Referred to committee on schools.

Senator Byington presented a remonstrance of members of the Lutheran church, Williamsburg, against the Dean bill.

Referred to committee on schools.

Senator Smith presented a resolution from Company A Comfort Club, Winterset, urging support of the Hauge Memorial bill.

Referred to committee on public buildings.

Senator Foster presented a remonstrance of citizens of Guthrie county against bond issue for paved roads.

Referred to committee on highways.

Senator Van Alstine presented a remonstrance of members of the Lutheran church, Alta, against the Dean bill.

Referred to committee on schools.

Senator Brookhart presented a remonstrance of citizens of Washington county against bond issue for paved roads.

Referred to committee on highways.

Senator Anderson presented a petition of Carroll Council No. 543, U. C. T., favoring the hotel bill.

Referred to committee on public health.

Senator Foster presented a petition of ladies of the Columbia Club of Audubon favoring the housing bill.

Referred to committee on cities and towns.

#### INTRODUCTION OF BILLS.

By Senator Schaffter, Senate File No. 328, a bill for an act to amend the law as it appears in section one thousand nine hundred eighty-nine-a nine (1989-a9), supplement to the Code, 1913, as amended by chapter two hundred sixty four (264), Acts of the Thirty-Seventh General Assembly, providing for keeping a record of drainage warrants, and for notifying holders thereof when there are funds with which to pay such warrants.

Read first and second time and referred to committee on county and township affairs.

#### MESSAGES FROM THE HOUSE.

The following message was received from the House:

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

House File No. 269, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-a forty-one (1989-a41) supplement to the code, 1913, relating to fees paid appraisers of damages and commissioners to assess benefits.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 163, a bill for an act to amend section four hundred fifty-eight (458) of the supplement to the code of 1913, relating to the assessment of dogs.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 amend section twenty-six hundred thirty-four-b eight (2634-b8), supplement to the code, 1913, relating to the appropriation for aid to normal training high schools.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 nine (9) of chapter three hundred eighty-six (386) of the acts of the thirty-seventh general assembly, relative to estimate for general fund of school corporations.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 213, a bill for an act to amend section nine hundred forty-five (945) of the code of 1897, relative to the compensation of mayor.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 269, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-a forty-one (1989-a41) supplement to the code, 1913, relating to fees paid appraisers of damages and commissioners to assess benefits.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 163, a bill for an act to amend section four hundred and fifty-eight (458) of the Supplement to the code, 1913, relating to the assessment of dogs.

Read first and second time and referred to committee on ways and means.

House File No. 206, a bill for an act to amend section twenty-six hundred thirty-four-b-eight (2634-b8), supplement to the code, 1913, relating to the appropriation for aid to normal training high schools.

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

House File No. 66, a bill for an act to amend section nine (9) of Chapter Three Hundred Eighty-six (386) of the Acts of the Thirty-Seventh General Assembly relative to estimate for General Fund for School Corporations.

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

House File No. 213, a bill for an act to amend section nine hundred forty-five (945) code of 1897, relative to the compensation of Mayor.

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

On motion of Senator Wilson rule 33 was suspended for the day.

#### REPORTS OF COMMITTEES.

Senator Whitmore, from the committee on elections, submitted the following report:

MR. PRESIDENT—Your committee on elections, to whom was referred Senate File No. 3, a bill for an act to repeal sections one thousand eighty-seven-b (1087-b), one thousand eighty-seven-b-one (1087-b-1), one thousand eighty-seven-b-two (1087-b-2), one thousand eighty-seven-b-three (1087-b-3), one thousand eighty-seven-b-four (1087-b-4), one thousand eighty-seven-b-five (1087-b-5), supplement to the code, 1913, and to enact a substitute therefor, relating to the nomination and election of judges of the supreme, district, and superior courts, beg leave to report they have had the same under consideration and report the same back to the Senate without recommendation.

CHESTER W. WHITMORE, *Chairman.*

Ordered passed on file.

Also:

Your committee on elections to whom was referred Senate File No. 244, a bill for an act repealing section one thousand eighty-seven-b (1087-b) and one thousand eighty-seven-b-two (1087-b-2), Supplement to the Code, 1913, and providing a separate ballot for the non-partisan judiciary ticket, beg leave to report they have had the same under consideration and report the same back to the Senate without recommendation.

CHESTER W. WHITMORE, *Chairman.*

Ordered passed on file.

Also:

Your committee on elections to whom was referred Senate File No. 279, a bill for an act to repeal chapter 2-B of title VI, supplement to the code, 1913, and to enact a substitute therefor, relating to the nomination and election of judges of supreme, district, superior and municipal courts, beg leave to report they have had the same under consideration and report the same back to the Senate without recommendation.

CHESTER W. WHITMORE, *Chairman.*

Ordered passed on file.

## SPECIAL ORDERS.

On motion of Senator Price, Senate File No. 3, Senate File No. 244 and Senate File No. 279 were made special orders, in numerical order, for Wednesday, March 12th at 10:00 a. m.

## REPORTS OF COMMITTEES.

Senator Holdoegel, from the committee on departmental affairs, submitted the following report:

MR. PRESIDENT—Your committee on departmental affairs, to whom was referred Senate File No. 117, a bill for an act to amend section five thousand seven hundred eighteen-a fourteen (5718-a14) of the supplement to the code, 1913, relating to the compensation of the members of the board of parole, beg leave to report they have had the same under consideration and recommend the same be referred to appropriations committee with recommendation that same be indefinitely postponed.

PERRY C. HOLDOEGEL, *Chairman.*

On motion of Senator Holdoegel, the report was adopted and the bill referred to committee on appropriations.

Senator Proudfoot, from the committee on judiciary No. 2, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 2, to whom was referred Senate File No. 219, a bill for an act providing that any corporation organized under the laws of the state may assign by three-fourths vote of its capital stock its property, rights, privileges and franchises when not contrary to its articles of incorporation, excepting corporations owning and operating railroads, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 319, a bill for an act to punish fraudulent sale and conveyance of land or an interest therein and providing the penalty for a violation thereof, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 302, a bill for an act to amend section 234 of the code, relating to special adjournment of the district court, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Senator Meredith, from the committee on public lands, submitted the following report:

MR. PRESIDENT—Your committee on public lands, to whom was referred Senate File No. 143, a bill for an act to amend chapter ninety-nine (99) Acts of the Thirty-seventh General Assembly of Iowa relating to removal of Allison Monument from its present location on the State House ground, beg leave to report they have had the same under consideration and recommend the same do pass.

DAVID MEREDITH, *Chairman.*

Ordered passed on file.

#### BILL SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed House File No. 204.

#### THIRD READING OF BILLS.

On motion of Senator Byington, House File No. 121, a bill for an act to amend the law as it appears in section four thousand eleven (4011) of the code, relating to the exemption of personal earnings, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Byington offered the following as a substitute for all pending amendments, including the amendments proposed by the committee:

Amend by striking out the last six (6) lines of the bill as amended and passed by the House and inserting in lieu thereof after the word "following":

"Provided, that where the party in whose favor the order, decree or judgment was rendered has not remarried, the personal earnings of the debtor shall not be exempt from any order, judgment or decree for temporary or permanent alimony hereafter rendered in this state, nor from any installment of any such order, judgment or decree heretofore rendered within this state which, by the provision thereof may hereafter become due, or from any order, judgment or decree for the support of his minor child or children hereafter rendered in this state nor any installment of any such order, judgment or decree heretofore rendered in this state which, by the provisions thereof, may hereafter become due."

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 40.

Adams	Fralley	Proudfoot
Anderson	Greenell	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Reed
Ball	Horchem	Rule
Brookhart	Kimball	Scott
Broxam	Kimberly	Shane
Buser	Kingland	Smith
Byington	Meredith	Stephenson
Cessna	Nelson	Stoddard
Coburn	Newberry	Van Alstine
Edwards	Parker	White
Fellows	Price	Whitmore
Poster		

Nays, 5.

Evans	Mitchell	Wilson
Holdoegel	Schaffter	

Absent or not voting, 5.

Foskett	Pitt	Thompson
LeCompte	Taylor	

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 Parker, Senate File No. 267, a bill for an act to amend Chapter two hundred sixty-seven (267) of the



laws of the 37th General Assembly, relating to the selection of grand and petit juries, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by substituting for the words "one or more" in line eight of section five (5) the words "any two".

Senator Parker 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 vote was:

Ayes, 42.

Adams	Foster	Rainbow
Anderson	Fralley	Ratcliff
Arney	Hale	Reed
Balkema	Haskell	Schaffter
Ball	Holdoegel	Scott
Brookhart	Horchem	Shane
Broxam	Kimball	Smith
Buser	Kimberly	Stephenson
Byington	Meredith	Stoddard
Cessna	Mitchell	Thompson
Coburn	Nelson	Van Alstine
Edwards	Newberry	White
Evans	Parker	Whitmore
Fellows	Proudfoot	Wilson

Nays, 2

Price	Rule
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Absent or not voting, 6.

Foskett	Kingland	Pitt
Greenell	LeCompte	Taylor

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 Van Alstine, Senate File No. 82, a bill for an act to make uniform the law of sales of goods, and repealing all acts or parts of acts inconsistent herewith and providing that this act may be cited as the Uniform Sales Act, with report of committee recommending passage, made a special order for this time, was taken up, considered, and the report of the committee adopted.

The following amendment filed by Senator Whitmore was adopted:

I move to amend Senate File No. 82 by substituting a comma (,) for the period (.) at the end of line six (6) of section seventy-six-b (76b), page forty-four (44), and adding thereto the following: "or of the bulk sales law, Chapter 64, Acts of the Thirty-seventh General Assembly."

Senator Ratcliff was called to the chair at 10:30.

Senator Newberry offered the following amendment and moved its adoption:

I move that the words "of the value of \$500.00 or upwards" in line 2 in section 4 of the pending bill be stricken.

Senator Whitmore offered the following as a substitute for the pending amendment and moved its adoption:

Substitute "\$100.00" for "\$500.00" in line 2 of section 4.

Senator Thompson moved that Senate File No. 82 be made a special order for 11:00 a. m., Monday, March 10th.

The motion prevailed.

On motion of Senator Evans, Senate File No. 281, a bill for an act defining the crime of criminal syndicalism and prescribing punishment therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

By unanimous consent, on request of Senator Evans, the word "prison" was stricken out of line 6 in paragraph D of Section 2 and the words "penitentiary or reformatory" were inserted in lieu thereof.

Also in line 7 of Section 3, the word "prison" was stricken out and the words "penitentiary or reformatory" were inserted in lieu thereof.

Senator Byington offered the following amendment and moved its adoption:

Amend by striking out section 3 and renumbering section 4 as section 3.

Senator Whitmore offered the following as a substitute for the pending amendment and moved its adoption:

Amend by striking out the word "presence" in line 5 of section 3.

The substitute amendment was adopted.

Senator Evans 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 vote was:

Ayes, 45.

Adams	Fralley	Proudfoot
Anderson	Greenell	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Reed
Ball	Holdoegel	Rule
Brookhart	Horchem	Schaffter
Droxam	Kimball	Scott
Buser	Kimberly	Shane
Byington	Kingland	Stephenson
Cessna	LeCompte	Stoddard
Coburn	Meredith	Thompson
Edwards	Mitchell	Van Alstine
Evans	Newberry	White
Fellows	Parker	Whitmore
Foster	Price	Wilson

Nays, 1.

Nelson

Absent or not voting, 4.

Foskett	Smith	Taylor
Pitt		

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

#### MOTION TO RECONSIDER WITHDRAWN.

By unanimous consent Senator Holdoegel withdrew his motion filed to reconsider the vote by which Senate File No. 41 passed the Senate.

By unanimous consent Senator Price withdrew his motion filed to reconsider the vote by which Senate File No. 41 passed the Senate.

President Moore resumed the chair at 11:35.

THIRD READING OF BILLS.

On motion of Senator Haskell, House File No. 116, a bill for an act to amend Chapter 23 of the Acts of the Thirty-seventh General Assembly, relating to pensions for police officers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 44.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Broxam	Kimberly	Stephenson
Buser	Kingland	Stoddard
Byington	LeCompte	Taylor
Cessna	Meredith	Thompson
Coburn	Mitchell	Van Alstine
Edwards	Nelson	White
Evans	Newberry	Whitmore
Fellows	Parker	Wilson
Frailey	Proudfoot	

Nays, 1.

Price

Absent or not voting, 5.

Foskett	Pitt	Smith
Foster	Shane	

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

MOTION TO RECONSIDER CALLED UP.

Senator Byington called up the motion filed by Senator Haskell to reconsider the vote by which Senate File No. 58 passed the Senate.

The motion to reconsider prevailed.

On motion of Senator Haskell the vote by which the bill passed to its third reading was reconsidered.

Senator Whitmore offered the following amendment and moved its adoption:

I move to amend by adding as follows:

SECTION 6. Nothing in this act shall prevent the employment by the State Board of Education and the Board of Control of state institutions on the instructional staff of the institutions under their control, of aliens, when in the judgment of said boards such employment is necessary, provided such employees are not citizens of countries or peoples who were engaged in acts of war against the United States of America, or against any of the Allied Powers in the World War of 1914-1918.

The amendment was adopted.

Senator Byington 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 vote was:

Ayes, 37.

Adams	Hale	Price
Anderson	Haskell	Proudfoot
Arney	Holdoegel	Rainbow
Ball	Horchem	Ratcliff
Brookhart	Kimball	Rule
Broxam	Kimberly	Scott
Buser	Kingland	Shane
Byington	Meredith	Stephenson
Cessna	Mitchell	Stoddard
Coburn	Nelson	White
Edwards	Newberry	Whitmore
Fralley	Parker	Wilson
Greenell		

Nays, 6.

Evans	Pitt	Schaffter
Fellows	Reed	Thompson

Absent or not voting, 7.

Balkema	LeCompte	Taylor
Foskett	Smith	Van Alstine
Foster		

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 adjourned until 1:30 p. m. today.

### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 116, a bill for an act to amend sections five thousand three hundred and sixty-three (5363), and five thousand three hundred and sixty-five (5365), and five thousand three hundred and sixty-six (5366) of the code, regulating the method and number of challenges and the method of exercising peremptory challenges and of selecting the petit jury from the panel in the case of criminal procedure.

Also:

Senate File No. 86, a bill for an act to amend section two hundred fifty-four-a eighteen (254-a18), supplement to the code, 1913, as to the salaries of probation officers in counties of fifty thousand (50,000) or more population.

Also:

Senate File No. 217, a bill for an act to legalize a special election in the city of Maquoketa, Jackson County, Iowa, on the 29th day of December, 1916, wherein there was submitted to the voters of said city a proposition to establish, erect, construct and furnish a municipal electric light and power plant within said city, and to legalize an election in said city held on the 24th day of September, 1918, wherein there was submitted to the voters thereof a proposition to issue bonds of said city in the sum of \$65,000.00 to be used for the establishment, creating, construction and furnishing of said municipal electric light and power plant within said city.

Also:

Senate Joint Resolution No. 6, making available part of funds appropriated under chapter two hundred seven (207), acts of the thirty-seventh general assembly, to meet deficiency in fund set apart in Sen-

ate Joint Resolution No. Thirteen (13), of the thirty-seventh general assembly and to maintain state-federal employment bureau.

Also:

Senate File No. 96, a bill for an act to amend section one (1) of chapter two hundred twenty-six (226) of the acts of the thirty-seventh general assembly, relating to municipal courts.

Also:

Senate File No. 163, a bill for an act to amend the law as it appears in section twenty-nine hundred-b (2900-b), supplemental supplement to the code, 1915, permitting the carrying out of the recommendations embodied in the report of the State Highway Commission as to certain lakes.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 116, a bill for an act to amend sections five thousand three hundred and sixty-three (5363), and five thousand three hundred and sixty-five (5365), and five thousand three hundred and sixty-six (5366), of the Code, regulating the method and number of challenges and the method of exercising peremptory challenges and of selecting the petit jury from the panel in the case of criminal procedure.

Also:

Senate File No. 86, a bill for an act to amend Section two hundred fifty-four-a-eighteen (254-a-18), Supplement to the Code, 1913, as to the Salaries of Probation Officers in counties of fifty-thousand (50,000) or more in population.

Also:

Senate File No. 217, a bill for an act to legalize a special election held in the city of Maquoketa, Jackson County, Iowa, on the 29th day of December, 1916, wherein there was submitted to the voters of said city a proposition to establish, erect, construct and furnish a municipal electric light and power plant within said city, and to legalize an election in said city held on the 24th day of September, 1918, wherein there was submitted to the voters thereof a proposition to issue bonds of said

city in the sum of \$65,000.00 to be used for the establishment, creating, construction and furnishing of said municipal electric light and power plant within said city.

Also:

Senate Joint Resolution No. 6, making available part of funds appropriated under chapter two hundred seven (207), acts of the Thirty-seventh General Assembly to meet deficiency in fund set apart in Senate Joint Resolution number thirteen (No. 13), of the Thirty-seventh General Assembly and to maintain State-Federal Employment Bureau.

Also:

Senate File No. 96, a bill for an act to amend section one (1) of Chapter two hundred twenty-six (226) of the Acts of the Thirty-seventh General Assembly relating to Municipal Courts.

Also:

Senate File No. 163, a bill for an act to amend the law as it appears in Section Twenty-nine-hundred-B (2900-b), Supplemental Supplement to the Code, 1915, permitting the carrying out of the recommendations embodied in the report of the State Highway Commission as to certain lakes.

EUGENE SCHAFFNER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### BILLS SIGNED BY PRESIDENT.

The President announced that as president of the Senate in the presence of the Senate, he had signed Senate Files Nos. 86, 116, 217, 163, 96, and Senate Joint Resolution No. 6.

#### THIRD READING OF BILLS.

On motion of Senator Kimball, House File No. 131, a bill for an act to repeal Chapter 384 of the laws of the Thirty-seventh General Assembly, relating to a tax levy for park improvement purposes, 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 moved that the rules be suspended and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 33.

Adams	Fralley	Price
Anderson	Greenell	Rainbow
Arney	Hale	Reed
Balkema	Haskell	Rule
Brookhart	Holdoegel	Schaffter
Broxam	Horchem	Shane
Byington	Kimball	Smith
Coburn	Kingland	Stephenson
Edwards	Meredith	Stoddard
Evans	Mitchell	Van Alstine
Fellows	Nelson	White

Nays, none.

Absent or not voting, 17.

Ball	LeCompte	Scott
Buser	Newberry	Taylor
Cessna	Parker	Thompson
Foskett	Pitt	Whitmore
Foster	Proudfoot	Wilson
Kimberly	Ratcliff	

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 Meredith, House File No. 139, a bill for an act to amend section eight hundred and forty-a (840-a) of the supplement to the Code, 1913, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment to the title was adopted:

Amendment by substituting a comma for the period at the end of the title and inserting thereafter the words "pertaining to sewers and certain statutes applicable to towns.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 31.

Adams	Greenell	Price
Anderson	Hale	Rainbow
Arney	Haskell	Reed
Broxam	Holdoegel	Rule
Byington	Horchem	Schaffter
Cessna	Kimball	Shane
Coburn	Kingland	Smith
Edwards	Meredith	Stephenson
Evans	Mitchell	Stoddard
Fellows	Nelson	Van Alstine
Frailey		

Nays, none.

Absent or not voting, 19.

Balkema	LeCompte	Scott
Ball	Newberry	Taylor
Brookhart	Parker	Thompson
Buser	Pitt	White
Foskett	Proudfoot	Whitmore
Foster	Ratcliff	Wilson
Kimberly		

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 Frailey, House File No. 189, a bill for an act to amend section two hundred fifty-four-a six (254-a6), 1913 supplement to the code, relating to trust funds of cemeteries in perpetual care, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent the figures "1913" appearing before the word "Supplement" were stricken out and inserted instead after the word "Code" in line 2 of the title and also in line 2 of Section 1.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Adams	Greenell	Rainbow
Anderson	Hale	Reed
Arney	Haskell	Rule
Balkema	Holdoegel	Schaffter
Broxam	Horchem	Shane
Buser	Kimball	Smith
Byington	Kimberly	Stephenson
Cessna	Kingland	Stoddard
Coburn	Meredith	Thompson
Edwards	Mitchell	Van Alstine
Evans	Nelson	White
Fellows	Parker	Whitmore
Fralley	Price	

Nays, none.

Absent or not voting, 12.

Bali	LeCompte	Ratcliff
Brookhart	Newberry	Scott
Foskett	Pitt	Taylor
Foster	Proudfoot	Wilson

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

#### MOTION TO RECONSIDER WITHDRAWN.

By unanimous consent, Senator Rule withdrew the motion filed by him to reconsider the vote by which Senate File No. 261 passed the Senate.

#### MOTION TO RECONSIDER CALLED UP.

Senator Meredith called up the motion filed by him to reconsider the vote by which the committee report was adopted, indefinitely postponing House File No. 37.

On the question, "Shall the vote be reconsidered?" the vote was:

Ayes, 32.

Anderson	Greenell	Parker
Arney	Hale	Pitt
Balkema	Haskell	Rainbow
Bali	Holdoegel	Reed
Brookhart	Horchem	Rule
Byington	Kimball	Schaffter
Cessna	Kimberly	Stephenson
Coburn	Kingland	Stoddard
Edwards	Meredith	Thompson
Evans	Mitchell	White
Fralley	Nelson	

Nays, 5.

Price	Shane	Whitmore
Proudfoot	Smith	

Absent or not voting, 13.

Adams	Foster	Taylor
Broxam	LeCompte	Van Alstine
Buser	Newberry	Wilson
Fellows	Ratcliff	
Foskett	Scott	

The motion to reconsider prevailed.

### THIRD READING OF BILLS.

On motion of Senator Meredith, House File No. 37, a bill for an act to amend article four of section four thousand five hundred ninety-eight (4598) of the code, relative to the fees of constables, was taken up and considered.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 33.

Adams	Evans	Nelson
Anderson	Fellows	Parker
Arney	Frailey	Pitt
Balkema	Greenell	Rainbow
Ball	Holdoegel	Rced
Brookhart	Horchem	Rule
Broxam	Kimball	Schaffter
Byington	Kimberly	Stephenson
Cessna	Kingland	Stoddard
Coburn	Meredith	Thompson
Edwards	Mitchell	White

Nays, 2.

Price	Whitmore
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Absent or not voting, 15.

Buser	LeCompte	Shane
Foskett	Newberry	Smith
Foster	Proudfoot	Taylor
Hale	Ratcliff	Van Alstine
Haskell	Scott	Wilson

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

#### LEAVE OF ABSENCE.

On request of Senator Edwards, leave was granted Senator Taylor for the day.

#### INTRODUCTION OF BILLS.

By Senator Balkema, by request, Senate File No. 329, a bill for an act to provide for the regulation of traffic in and licensing of dealers in eggs; to prevent fraud and misrepresentation in dealing in, and to prevent the sale of eggs unfit for human food.

Read first and second time and referred to committee on dairy and food.

By Senator Thompson, Senate File No. 330, a bill for an act to legalize certain Warrants of the City of Burlington, Iowa and the issuance and sale of Negotiable Bonds funding said Warrants.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Adams, Senate File No. 331, a bill for an act to amend Section 5076 of the Code, in regard to frauds upon hotel keepers and hospitals and providing a penalty for the violation thereof.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Horchem, Senate File No. 332, a bill for an act providing for the erection of a Detention or Contagious Disease Hospital and the issuance of bonds covering the costs thereof, and providing for a tax levy to pay such bonds and the interest thereon.

Read first and second time and referred to committee on county and township affairs.

## 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. 214, a bill for an act relating to compensation of Aldermen.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 182, a bill for an act relating to primary elections and nominations for office.

W. C. RAMSAY, *Chief Clerk.*

## HOUSE MESSAGES CONSIDERED.

House File No. 214, a bill for an act to amend section nine hundred forty-three (943), code of 1897, relative to compensation of alderman.

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

House File No. 182, a bill for an act to amend Chapter Two-A (2-A) of Title Six (VI), Supplement to the Code, 1913, relating to primary elections and nominations for office and to amend Section One Thousand and Eighty-seven-a16 (1087-a16), Supplement to the Code, 1913, and to provide that the primary election law and laws relating to the nominations of candidates for office shall apply to women the same as to men.

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

## CORRECTION OF JOURNAL.

The journal of March 6th was corrected and approved.

On motion of Senator Parker Senate adjourned until 9 a. m. Saturday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 8, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. John C. Orth, pastor of the Presbyterian Church of Guthrie Center.

Senator Stoddard extended an invitation from the Commercial Club of Sioux City, to the members of the General Assembly to be the guests of Sioux City on Saturday, March 15th, to inspect some paved roads near Sioux City.

Senator Thompson moved that the Senate accept the invitation of the senator from Woodbury.

Senator Whitmore moved to amend by expressing the appreciation and thanks of the Senate for the invitation.

Both motions prevailed.

## PETITIONS AND MEMORIALS.

Senator Evans presented a petition of citizens of Bremer county favoring federal farm loan bonds.

Referred to committee on banks and banking.

Senator Kingland presented a remonstrance of citizens of Mitchell county against the Dean bill.

Referred to committee on schools.

Senator Kimball presented a petition of twenty-nine members of the Council Bluffs bar favoring the repeal of the non-partisan judiciary act.

Referred to committee on elections.

Senator Buser presented a petition of citizens of Louisa county favoring federal farm loan bonds.

Referred to committee on insurance.

Senator Parker presented a petition of Local Union No. 1047, United Mine Workers of America, favoring the shot firing bill.

Referred to committee on mines and mining.

Senator Brookhart presented a petition of Daughters of the American Revolution of Washington favoring an Iowa banner.

Referred to committee on military affairs.

Senator Reed presented a remonstrance of citizens of Winne-  
shiek county against bond issue for paved roads.

Referred to committee on highways.

Senator Schaffter presented a petition from the board of su-  
pervisors of Hamilton county relative to compensation.

Referred to committee on county and township affairs.

On motion of Senator Rule, Rule 33 was suspended for the day.

#### LEAVE OF ABSENCE.

On request of Senator Rule leave of absence was granted Sen-  
ators Arney, Whitmore, Holdoegel and Rule from the session  
temporarily, they being employed on special committee work.

On request of Senator Frailey leave of absence was granted  
Senator Proudfoot for the day.

On request of Senator Edwards leave of absence was granted  
Senator Taylor for the day.

On request of Senator Foskett leave of absence was granted  
Senator Rainbow for the day.

#### INTRODUCTION OF BILLS.

By Senator Parker, Senate File No. 333, a bill for an act to  
amend the law as it appears in Section six hundred ninety-four-C



forty-two (694-C42) of the Supplemental Supplement to the Code, 1915, relating to the pay of jurors in Municipal Courts.

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

By Senator Parker, Senate File No. 334, a bill for an act to amend the law as it appears in Section six hundred ninety-four-C forty-seven (694-C47) of the Supplemental Supplement to the Code, 1915, as amended by Chapter one hundred fifty-two (152) of the Acts of the 37th General Assembly, relating to the compensation of judges, clerks and bailiffs of Municipal Courts.

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

By Senator Ball, Senate File No. 335, a bill for an act to repeal Section thirty-three hundred seventy-nine (3379) supplement to the code, 1913, and to enact a substitute therefor relating to the interest of parents or surviving spouse in estate of decedent who dies intestate.

Read first and second time and referred to Committee on Judiciary No. 1.

By Senator Kimball, Senate File No. 336, a bill for an act to repeal section two hundred twenty-six (226) of the Code, and to amend section one (1), chapter one hundred and ninety-eight (198) Acts of the Twentieth General Assembly, relating to holding terms of the Circuit Court at Avoca in the County of Pottawattamie, defining the territorial jurisdiction of said court and restricting that of the corresponding court to be held at Council Bluffs in said county of Pottawattamie, and relating to furnishing rooms and places for holding court.

Read first and second time and referred to Committee on Judiciary No. 1.

By Senator Foskett, Senate File No. 337, a bill for an act to repeal Section Two Thousand Six Hundred Forty-a (2640-a), Supplement to the Code, 1913, relating to the Homeopathic Medical College at the State University.

Read first and second time and referred to Committee on Educational Institutions.

By Senator Foskett, Senate File No. 338, a bill for an act to amend Section Two Hundred Fifty-four-a-Thirty-two (254-a-32), Supplement to the Code, 1913, relating to Juvenile Court.

Read first and second time and referred to Committee on Judiciary No. 2.

By Senator Byington, Senate File No. 339, a bill for an act to repeal section 2, chapter 168, acts of the sixteenth general assembly, and section 2640-a, supplement to the code, 1913; and to authorize and direct the state board of education to establish and maintain a department of homeopathic materia medica and therapeutics in the college of medicine of the state university of Iowa.

Read first and second time and referred to Committee on Educational Institutions.

#### EXTRA COPIES OF HIGHWAY BILL.

By unanimous consent on request of Senator Balkema, one thousand copies of the proposed highway bill were ordered printed.

#### REPORTS OF COMMITTEES.

Senator Edwards, from the committee on county and township affairs, submitted the following report:

MR. PRESIDENT—Your committee on county and township affairs to whom was referred Senate File No. 95, a bill for an act to amend the law as it appears in Section Five Hundred Eighty Six (586) Supplemental Supplement to the Code, 1913, relating to the powers and duties of Township Trustees with reference to cemeteries, 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:

Amend by inserting the figures 1915 in place of 1913 in line Three (3) of title following the word "Code". Also by inserting the figures 1915 in place of 1913 in line Three (3) of the bill.

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs to whom was referred Senate File No. 129, a bill for an act providing the time within which a regularly established public road must be opened by the township board of trustees, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BEN EDWARDS, *Chairman*.

On motion of Senator Edwards the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on county and township affairs to whom was referred Senate File No. 77, a bill for an act to amend Section 2734-b of the Supplemental Supplement to the Code, relating to the expenses of the County Superintendent of Schools for visiting schools, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BEN EDWARDS, *Chairman*.

On motion of Senator Edwards the report of the committee was adopted and the bill was indefinitely postponed.

Also:

Your committee on county and township affairs to whom was referred Senate File No. 172, a bill for an act to amend the law as it appears in Section Twenty-nine hundred thirty-five, supplement to the Code, 1913, relative to duties of County Recorder, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BEN EDWARDS, *Chairman*.

On motion of Senator Edwards the report of the committee was adopted and the bill was indefinitely postponed.

Also:

Your committee on county and township affairs to whom was referred Senate File No. 207, a bill for an act to amend Section twelve hundred ninety-a (1290-a) of the Supplemental Supplement to the Code, 1915, fixing the compensation of appraisers for collateral inheritance tax, 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:

Amend by striking out the word "five" in the last line of the bill and inserting in lieu thereof the word "four".

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Also:

Your committee on county and township affairs to whom was referred House File No. 65, a bill for an act to amend Chapter Three Hundred Thirty-two (332) of the acts of the Thirty-seventh General Assembly relating to the purchase of real estate for county purposes, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs to whom was referred Senate File No. 179, a bill for an act to repeal the law as it appears in Sections Four Hundred and Ten (410) and Four Hundred and Eleven (411) of the Supplemental Supplement to the Code, 1913, and to repeal Section Four Hundred and Sixteen (416) of the Supplement to the Code, 1913, and to repeal Sections Four Hundred and Seventeen (417), Four Hundred Eighteen (418), and Four Hundred nineteen (419), of the Code, and enact substitutes therefor relating to the number and method of electing members of the Board of Supervisors, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BEN EDWARDS, *Chairman.*

On motion of Senator Edwards the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on county and township affairs to whom was referred Senate File No. 297, a bill for an act to amend Section Four Hundred Sixty-nine (469) Supplement to the Code, 1913, relating to the compensation and mileage allowed to Boards of Supervisors, 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:

Amend by striking out the word "six" in the fourth line of Section 1, and inserting in lieu thereof the word "five", and by striking out the word "six" in the sixth line thereof, and inserting in lieu thereof the word "five".

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Senator Haskell, from the committee on railroads, submitted the following report:

MR. PRESIDENT—Your committee on railroads, to whom was referred Senate File No. 87, a bill for an act to amend section seven hundred seventy (770) of the Code, 1897, relating to construction of viaducts over or under

railroads, beg leave to report they have had the same under consideration and recommend the same do pass.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Also:

Your committee on railroads to whom was referred Senate File No. 97, a bill for an act to amend the law as it appears in section forty-nine hundred and seventy (4970) of the code, relating to the transportation of live stock by common carriers, beg leave to report they have had the same under consideration and recommend the same do pass.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Senator Coburn, from the committee on agriculture, submitted the following report:

MR. PRESIDENT—Your committee on agriculture, to whom was referred House File No. 118, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine a-twenty-one (1989-a21) of the supplement to the code, 1913, relating to obstructions to levees, ditches and drains, 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:

Amend the title by changing the period in Line three (3) to a semi-colon, and by adding the following: "The relaying of tile drains; removal of obstructions therein; the condemnation of right of way to remove cause of obstructions; the right of appeal for award as to damages for condemnation; and the payment of damages for the cost of said proceedings and for repairs so made."

GEORGE L. COBURN, *Chairman.*

Ordered passed on file.

Also:

Your committee on agriculture to whom was referred Senate File No. 231, a bill for an act to encourage the dairy industry, the beef cattle growing industry and the corn and small grain growing industry in the state of Iowa, and to aid in providing instruction in practical and scientific methods and to aid in conducting an annual state and corn and small grain exhibition 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.

GEORGE L. COBURN, *Chairman.*

The bill was referred to the committee on appropriations.

Senator White, from the committee on motor vehicles, submitted the following report:

MR. PRESIDENT—Your committee on motor vehicles, to whom was referred Senate File No. 68, a bill for an act to amend section Fifteen hundred seventy one-m1 (1571-m1) Supplement to the Code, 1913, relative to the definition of terms used in title VIII Chapter 2-B Supplement to the Code, 1913, beg leave to report they have had the same under consideration and recommend the same do pass.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Senator Parker, 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. 189, a bill for an act authorizing cities and towns to repair street paving, curbing, graveeling, macadamizing or guttering and to assess the cost thereof to the property benefitted, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman.*

On motion of Senator Parker, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on cities and towns, to whom was referred House File No. 88, a bill for an act conferring upon cities and towns the authority to adopt a budget system, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred Senate File No. 214, a bill for an act to repeal section seven hundred thirty-seven-a (737-a), supplement to the code, 1913, and to enact a substitute therefor empowering the state board of health to draft a code regulating the business of plumbing, requiring all cities and incorporated towns, having sanitary sewerage systems or other systems of domestic sewage disposal, including cities acting under the commission form of government and special charter cities, to regulate the business of plumbing; to make rules and regulations for the installation of same; to create a board of examiners of plumbers in cities and incorporated towns having a sanitary sewerage system or other system of domestic sewage disposal; to issue certificates or

licenses to persons, firms or corporations desiring to engage in the business of plumbing who are properly qualified; to provide for the removal of plumbing installed in violation of the manner prescribed, and providing for punishment for a violation of the terms of this act, 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:

Amend by striking out the words "and incorporated" in line nine and the words "towns" in line ten of the title. By striking out the words "and towns" in line one of section 2 (b), also by striking out the word "shall" in line three, all of lines four and five, up to and including "and" in line six of said section. Further amend said section by inserting the word "Journeyman" between the words "practical" and "plumber" in line eight and by striking out the words "competent city engineer" and inserting the words "practical master plumber" in line nine thereof.

Also further amend said section 2 (b) by adding thereto the following: "Provided there is no resident Practical Journeyman Plumber or practical Master plumber the Council shall not be required to appoint a Board of Examiners but shall require each person engaged as a master plumber, journeyman plumber or employing plumber in such city or town, to have a license or certificate from some examining board within the state showing the holder thereof to be qualified to work either as a master plumber, journeyman plumber or employing plumber." Your sub-committee further recommends that section 2 (d) be amended by striking out the "." in line five and inserting a "," in lieu thereof and adding the following: "provided application for such license be made within 90 days after the taking effect this act."

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns to whom was referred Senate File No. 290, a bill for an act to amend Chapter Forty-eight (48) of the Acts of the Thirty-sixth General Assembly, relating to sewers under and pavement upon principal streets or highways leading into and out of cities, beg leave to report they have had the same under consideration and recommend that the attached committee bill be substituted therefor.

ADDISON M. PARKER, *Chairman.*

By committee on cities and towns, Senate File No. 340, a bill for an act to amend chapter forty-eight (48) of the acts of the Thirty-sixth General Assembly, relating to sewers under and pavement upon principal streets or highways leading into and out of cities.

Read first and second time and passed on file.

## HOUSE FILE NO. 14 CALLED FROM COMMITTEE

Senator Meredith offered the following motion:

I move to instruct the committee on Highways to report House File No. 14 which was referred to them on February 8th, back to the Senate, not later than Tuesday, March 11, 1919, without recommendation.

Senator Newberry moved to amend by striking out the words "without recommendation".

The amendment was adopted.

Senator Meredith asked for a roll call on his motion and invoked Rule 8.

On the question, "Shall the motion prevail?" the vote was.

Ayes, 24.

Anderson	Hale	Price
Balkema	Horchem	Ratcliff
Ball	Kimberly	Keed
Buser	Kingland	Shane
Byington	Meredith	Stephenson
Cessna	Mitchell	Stoddard
Fellows	Nelson	Van Alstine
Greenell	Pitt	White

Nays, 17.

Adams	Foster	Schaffter
Brookhart	Fralley	Scott
Coburn	Holdoegel	Smith
Edwards	Newberry	Thompson
Evans	Parker	Wilson
Foskett	Rule	

Absent or not voting, 9.

Arney	Kimball	Rainbow
Broxam	LeCompte	Taylor
Haskell	Proudfoot	Whitmore

The motion prevailed.

## RESIGNATION OF COMMITTEE CLERK

Des Moines, March 7, 1919.

Lieutenant Governor Ernest R. Moore,  
President of the Senate.

MY DEAR SIR—I hereby tender my resignation as committee clerk in the Senate of the 38th General Assembly of the State of Iowa with the consent



and good wishes of Honorable W. G. Haskell, under whom I have had the pleasure of serving. I resign to accept a position in the Departmental Service in Washington, D. C., and leave the Iowa State House with much regret.

Yours truly,

CLARENCE H. CHURCHMAN.

The resignation was accepted.

#### CONCURRENT RESOLUTION.

Senator Holdoegel offered the following resolution:

*Be It Resolved by the Senate, the House Concurring:*

That the Committee on Departmental Affairs is hereby authorized to incur such expense as may be necessary to secure witnesses and for the preservation of the evidence so taken and the record, in conducting their study of the departments of the State of Iowa. Said expenses to be included in the omnibus bill, to be passed by the Thirty-Eighth General Assembly.

By unanimous consent, the resolution was taken up, considered and adopted.

#### THIRD READING OF BILLS

On motion of Senator Foster, Senate File No. 93, a bill for an act to limit the commencement of an action for the recovery of an interest in real estate, based upon a claim arising prior to A. D. 1900, unless notice of such claimed right to interest is given as herein provided, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out all following the enacting clause, and substituting therefor the following:

"SECTION 1. That no action based upon any claim arising or existing prior to the 1st day of January, A. D. 1900 shall be maintained, either at law or in equity, in any court to recover any real estate in this state or to recover or establish any interest therein or claim thereto, legal or equitable, against the holder of the record title to such real estate in possession, when such holder of the record title and his grantors immediate or remote are shown by the record to have held claim of title to said real estate, since the said 1st day of January A. D. 1900, unless such claimant, by himself, or by his attorney or agent, or if he be a minor or under legal disability, by his guardian, trustee or either parent shall within one year from and after the date of the taking effect of this act, file in the office of the recorder of deeds of the county wherein

such real estate is situated, a statement in writing, which shall be duly acknowledged, definitely describing the real estate involved, the nature and extent of the right or interest claimed, and stating the facts upon which the same is based.

For the purposes of this act, any person who holds title to real estate by will or descent from any person who held the title of record to such real estate at the date of his death or who holds title by decree or order of any court, or under any tax deed, trustee's, referee's, guardian's, executor's, administrator's, receiver's, assignee's, or sheriff's deed, shall be deemed to hold chain of title the same as though holding by direct conveyance.

SEC. 2. Any such claim so filed, shall be indexed under the description of the real estate involved in a book set apart and specially designed for the purpose to be known as the "Claimant's Book" and kept in the office of the recorder of the county where such real estate is situated, and said statement, when so indexed, shall be recorded as other instruments affecting real estate.

SEC. 3. That the provisions of Section 3453 of the code as to the rights of minors and insane persons shall not be applicable against the provisions of this act.

SEC. 4. Provided however, that nothing in this act contained shall be construed as limiting or extending the time within which actions by a spouse to recover dower or distributive share in real estate within this state may be brought or maintained under the provisions of section 3447-b of the supplement to the code, 1913, and the amendments thereto, or as limiting or extending the time within which actions may be brought or maintained to foreclose or enforce any real estate mortgage, bond for deed, trust deed, or contract for the sale or conveyance of real estate under the provisions of section 3447-c of the supplement to the code, 1913, and the amendments thereto: And, provided further, that this act should in no case revive or permit an action to be brought or maintained upon and claim or cause of action which is barred by any statute which is in force at the time this act takes effects."

By unanimous consent the words "master in chancery", were inserted in line 27 of section 1 following the word "assignee's".

Senator Foster 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 vote was:

## Ayes, 38.

Adams	Frailey	Price
Anderson	Greezell	Ratcliff
Balkema	Hale	Reed
Ball	Haskell	Rule
Brookhart	Horchem	Scott
Broxam	Kimball	Shane
Byington	Kingland	Smith
Cessna	Meredith	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Nelson	Van Alstine
Fellows	Newberry	White
Foskett	Parker	Wilson
Foster	Pitt	

## Nays, 3.

Evans	Schaffter	Thompson
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## Absent or not voting, 9.

Arney	Kimberly	Rainbow
Buser	Le Compte	Taylor
Holdoegel	Froudfoot	Whitmore

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 Evans, Senate File No. 111, a bill for an act to amend sections 2009 and 2024-d of the Supplement to the Code, 1913, relating to condemnation of land for state purposes, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Schaffter was called to the chair at 10:15.

The following committee amendments were adopted:

Amend by striking out all of Section one (1) and by renumbering and amending Section two (2) as follows: Section 1. That section two thousand and nine (2009) supplement to the Code, 1913, be amended by striking out all of said section after the word "defendant" in the eighth line of said section. Also by amending the title so as to read as follows: "A bill for an act to amend section two thousand and nine (2009) supplement to the code, 1913, relating to condemnation of land for state purposes.

Senator Evans invoked Rule 8.

Senator Evans 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 vote was:

Ayes, 29.

Balkema	Frailey	Price
Ball	Greenell	Ratcliff
Brookhart	Horchem	Reed
Broxam	Kimball	Schaffter
Buser	Kimberly	Scott
Byington	Kingland	Smith
Cessna	Mitchell	Thompson
Edwards	Nelson	White
Evans	Newberry	Wilson
Fellows	Pitt	

Nays, 16.

Adams	Hale	Rule
Anderson	Haskell	Shane
Arney	Holdoegel	Stephenson
Coburn	Meredith	Stoddard
Foskett	Parker	Whitmore
Foster		

Absent or not voting, 5.

Le Compte	Rainbow	Van Alstine
Proudfoot	Taylor	

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 Greenell, Senate File No. 232, a bill for an act to amend Section 3142 of the Code, relating to the issuance of marriage license, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by correcting the spelling of the word "fruther" in the third line of the second paragraph of section one (1), and by substituting a period in place of the comma following the word "addresses" in the sixth line of the second paragraph of section one (1), and by striking out the rest of said paragraph and by striking out all of section two (2).

By unanimous consent the words "of Iowa" were stricken from line 2 of section 1.

The bill was read for information.

Senator Greenell 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 vote was:

Ayes, 44.

Adams	Fralley	Ratcliff
Anderson	Greenell	Reed
Arney	Hale	Rule
Balkema	Haskell	Schaffter
Ball	Holdoegel	Scott
Brookhart	Horchem	Shane
Broxam	Kimball	Smith
Buser	Kimberly	Stephenson
Byington	Kingland	Stoddard
Coburn	Meredith	Thompson
Edwards	Mitchell	Van Alstine
Evans	Nelson	White
Fellows	Newberry	Whitmore
Foskett	Parker	Wilson
Foster	Price	

Nays, none.

Absent or not voting, 6.

Cessna	Pitt	Rainbow
Le Compte	Proudfoot	Taylor

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 Foskett, House File No. 209, a bill for an act to amend Section Four Thousand Six Hundred Sixty-one (4661) of the Code relating to witness fees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 40.

Adams	Ball	Byington
Anderson	Brookhart	Coburn
Arney	Broxam	Evans
Balkema	Buser	Fellows

Foskett	Nelson	Scott
Fralley	Newberry	Shane
Hale	Parker	Smith
Haskell	Pitt	Stephenson
Holdoegel	Price	Stoddard
Horchem	Ratcliff	Thompson
Kimball	Reed	Van Alstine
Kimberly	Rule	Whitmore
Meredith	Schaffter	Wilson
Mitchell		

Nays, 1.

Kingland

Absent or not voting, 9.

Cessna	Greenell	Rainbow
Edwards	LeCompte	Taylor
Foster	Proudfoot	White

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 Ball, Senate File No. 143, a bill for an act to amend chapter ninety-nine (99) Acts of the thirty-seventh General Assembly of Iowa relating to removal of Allison Monument from its present location on the State House grounds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Hale moved the previous question, which motion prevailed and the previous question was ordered.

Senator Ball 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 vote was:

Ayes, 35.

Adams	Foster	Ratcliff
Anderson	Fralley	Reed
Arney	Greenell	Rule
Ball	Hale	Schaffter
Brookhart	Haskell	Scott
Byington	Kingland	Shane
Cessna	Meredith	Smith
Coburn	Mitchell	Stephenson
Edwards	Nelson	Stoddard
Evans	Newberry	White
Fellows	Pitt	Whitmore
Foskett	Price	

## Nays, 10.

Balkema	Kimball	Thompson
Broxam	Kimberly	Van Alstine
Buser	Parker	Wilson
Horchem		

## Absent or not voting, 5.

Holdoegel	Proudfoot	Taylor
LeCompte	Rainbow	

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 Rule, Senate File No. 302, a bill for an act to amend section (235) two hundred thirty-five of the code relating to special adjournment of the district court, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rule 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 vote was:

## Ayes, 43.

Adams	Foster	Ratcliff
Anderson	Frailey	Reed
Arney	Hale	Rule
Balkema	Haskell	Schaffter
Ball	Holdoegel	Scott
Brookhart	Horchem	Shane
Broxam	Kimberly	Smith
Buser	Kingland	Stephenson
Byington	Meredith	Stoddard
Cessna	Mitchell	Thompson
Coburn	Nelson	Van Alstine
Edwards	Newberry	White
Evans	Parker	Whitmore
Fellows	Price	Wilson
Foskett		

## Nays, none.

## Absent or not voting, 7.

Greenell	Pitt	Rainbow
Kimball	Proudfoot	Taylor
LeCompte		

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 Buser, Senate File No. 341, a bill for an act amending Section Fifteen hundred thirty-three (1533), Supplement to the Code, 1915, relating to the cutting of weeds along public highways over which township trustees and county boards have jurisdiction.

Read first and second time and referred to committee on county and township affairs.

By Senator Schaffter, Senate File No. 342, a bill for an act limiting the time within which actions may be brought to set aside, cancel, annul, declare void or invalid certain conveyances by counties, and declaring such conveyances and all proceedings upon which they are based conclusively presumed to be in all things valid and unimpeachable and effective to convey title according to the purport thereof.

Read first and second time and referred to committee on judiciary No. 1.

By Senators Greenell and Kimberly, Senate File No. 343, a bill for an act to amend section fifteen hundred seventy-one-m twenty (1571-m20) of the supplement to the code, 1913, and relating to the powers of local authorities and ordinances regulating motor vehicles and relating to the registration of motor vehicles by local authorities.

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

#### MESSAGES FROM THE HOUSE.

The following message was received from the House:

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

House File No. 176, a bill for an act to amend section Five Hundred Twenty-nine (529) and to repeal sections Five Hundred Thirty (530) and



Five Hundred Thirty-one (531), code, and to enact substitutes therefor relating to the duties and compensation of coroners, witnesses and jurors in inquests.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 257, a bill for an act to repeal sections twenty-seven hundred eighteen-c (2718-c), twenty-seven hundred eighteen-d (2718-d) twenty-seven hundred eighteen-e (2718-e), and twenty-seven eighteen-f (2718-f), supplement to the code, 1913, and to enact substitutes therefor and relating to the required attendance of deaf children and blind children at the respective state schools, and for excuse therefrom, and providing a penalty for failing to comply with the provisions of this act, and appropriating funds for carrying out provisions of this act, including the compensation of agent to enforce provisions of this act.

W. C. RAMSAY, *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 creating a commission of three persons to edit and codify the laws of the state; defining its powers and duties; providing for the editing of a book of annotations of the Code by the code editor; providing for clerical assistance and for the publication and distribution of the Code, report of commission, and book of annotations and making an appropriation for the expenses of said commission and such work.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE AMENDMENTS TO SENATE FILE NO. 210

First, by striking out of the fourth line of Section 1 the words "the Governor and".

Second, by striking out of the last line of Section 3 the words "additional assistance in special instances" and inserting in lieu thereof the words "necessary additional assistance in order to complete the work in the time specified herein".

Third, by adding to Section 5 the following: "Said report shall be considered by the General Assembly, and owing to the great necessity for the adoption thereof the Governor is hereby requested to convene the Legislature in extra session during the month of January, 1920, or as soon thereafter as practicable, for the consideration of said report and code.

Fourth, by striking out of next to the last line of Section 8 the period and the words "said code" and inserting in lieu thereof the words "and such additional copies of said report shall be printed as may be reasonably necessary in the judgment of the Executive Council to supply the demand for said report. Said code and report".

Fifth, by striking from Section 9 the words "the time may be extended by the Governor if necessary or expedient" and inserting in lieu thereof the words "said report on or before January 1, 1920."

Sixth, by striking out of Section 7 the words "new plates may be made and".

#### HOUSE MESSAGES CONSIDERED.

House File No. 170, a bill for an act to amend section Five Hundred Twenty-nine (529) and to repeal sections Five Hundred Thirty (530) and Five Hundred Thirty-one (531), Code, and to enact substitutes therefor relating to the duties and compensation of coroners, witnesses and jurors in inquests.

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

House File No. 257, a bill for an act to repeal sections twenty-seven hundred eighteen-c (2718-c), twenty-seven hundred eighteen-d (2718-d), twenty-seven hundred eighteen-e (2718-e), and twenty-seven hundred eighteen-f (2718-f), supplement to the code, 1913, and to enact substitutes therefor and relating to the required attendance of deaf children and blind children at the respective state schools, and for excuse therefrom, and providing a penalty for failing to comply with the provisions of this act, and appropriating funds for carrying out provisions of this act, including the compensation of agent to enforce provisions of this act.

#### BILL SIGNED BY THE GOVERNOR.

A communication was received from the governor saying that he had on March 7, 1919, approved and signed Senate File No. 88.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 8th day of March, 1919, sent to the governor for his approval, Senate File No. 96, a bill for an act to amend section one (1) of Chapter two hundred twenty six (226) of the Acts of the Thirty-Seventh General Assembly relating to Municipal Courts.

Also:

Senate File No. 163, a bill for an act to amend the law as it appears in Section Twenty-nine-hundred-b (2900-b) Supplemental Supplement to the Code, 1915, permitting the carrying out of the recommendations embodied in the report of the State Highway Commission as to certain lakes.

Also:

Senate File No. 116, a bill for an act to amend sections five thousand three hundred and sixty-three (5363), and five thousand three hundred and sixty-five (5365), and five thousand three hundred and sixty-six (5366) of the Code, regulating the method and number of challenges and the method of exercising peremptory challenges and of selecting the petit jury from the panel in the case of criminal procedure.

Also:

Senate File No. 86, a bill for an act to amend Section two hundred fifty-four-a-eighteen (254-a-18) Supplement to the Code, 1913, as to the salaries of Probation Officers in counties of fifty thousand (50,000) or more population.

Also:

Senate File No. 217, a bill for an act to legalize a special election in the city of Maquoketa, Jackson County, Iowa, on the 29th day of December, 1916, wherein there was submitted to the voters of said city a proposition to establish, erect, construct and furnish a municipal electric light and power plant within said city, and to legalize an election in said city held on the 24th day of September, 1918, wherein there was submitted to the voters thereof a proposition to issue bonds of said city in the sum of \$65,000.00 to be used for the establishment, creating, construction and furnishing of said municipal electric light and power plant within said city.

Also:

Senate Joint Resolution No. 6, making available part of funds appropriated under chapter two hundred seven (207), acts of the Thirty-seventh General Assembly to meet deficiency in fund set apart in Senate Joint Resolution number thirteen (No. 13), of the Thirty-seventh General Assembly and to maintain State-Federal Employment Bureau.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

## MOTION TO RECONSIDER FILED.

I move that the vote adopting the committee report which recommended that Senate File No. 179 be indefinitely postponed be reconsidered.

W. H. SCOTT.

Senator Evans moved that the chairmen of committees be instructed to notify the senator who introduced a bill, when such bill is to be reported out for indefinite postponement.

Senator Kimball moved as a substitute that whenever bills are to be reported out for indefinite postponement, the committee report contain the name of the senator who introduced the bill, as well as the number of the bill.

The substitute motion was adopted.

On motion of Senator Hale, Senate adjourned until 10:00 a. m. Monday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 10, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. Paul H. Andreen, pastor of Bethany Lutheran Church of Des Moines.

## LEAVE OF ABSENCE.

On request of Senator Coburn, leave of absence was granted Senator Parker for the day.

## PETITIONS AND MEMORIALS.

Senator Evans presented a remonstrance of members of the Lutheran church, Klinger, against the Dean bill.

Referred to committee on schools.

Senator Stephenson presented a remonstrance of citizens of Ringgold County against bond issue for paved roads.

Referred to committee on highways.

Senator Foskett presented a petition of citizens of Fremont County favoring legislation for hard surfaced roads.

Referred to committee on highways.

Senator Le Compte presented a remonstrance of citizens of Wayne County against bond issue for paved roads.

Referred to committee on highways.

Senator Reed presented a remonstrance of citizens of Winneshiek County against bond issue for paved roads.

Referred to committee on highways.

Senator Buser presented a remonstrance of citizens of Louisa County against bond issue for paved roads.

Referred to committee on highways.

Senator Proudfoot presented a remonstrance of citizens of Warren County against House File No. 6.

Referred to committee on schools.

#### INTRODUCTION OF BILLS.

By Senator Frailey, Senate File No. 344, a bill for an act to repeal section thirty-two hundred fifty-two (3252) of the Code relating to the acknowledgment and recording of instruments of adoption and enacting a substitute therefor.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Mitchell, Senate File No. 345, a bill for an act to amend section 1400-c and 1400-h of the supplement to the code, 1913, relating to fruit tree reservations.

Read first and second time and referred to committee on horticulture and forestry.

By Senator Brookhart, by request, Senate File No. 346, a bill for an act to amend section eighteen hundred thirty-nine-1 (1839-1). Supplement to the code, 1913, relating to the investment of funds of Fraternal Beneficiary Societies and providing for the securities in which such societies may invest funds accumulated and held to fulfill the obligations of their contracts.

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

By Senator Brookhart, by request, Senate File No. 347, a bill for an act to amend section sixteen hundred ninety-nine (1699), Supplement to the code, 1913, relating to insurance, other than life, and providing for the securities in which a company organized to write insurance, other than life, shall invest its capital and funds.

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

By Senator Brookhart by request, Senate File No. 348, a bill for an act to amend Section eighteen hundred and fifty (1850) Supplement to the code, 1913, relating to the investment by Savings Banks of their funds or capital and money deposited therein, and their gains and profits in Federal Farm Loan Bonds.

Read first and second time and referred to committee on banks and banking.

By Senator Brookhart, by request, Senate File No. 349, a bill for an act to amend section eighteen hundred and six (1806), Supplemental Supplement to the code, 1915, to provide the securities in which the funds of life insurance companies and associations shall be invested.

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

By Senator Brookhart, by request, Senate File No. 350, a bill for an act to repeal section three hundred sixty-four, of the supplement to the code, 1913, and to enact a substitute therefor and to authorize investments of funds, including those to be made by executors, administrators, trustees and guardians, where such investments are to be made and no mode of investment is pointed out by the statute.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Newberry, Senate File No. 351, a bill for an act to amend the law as it appears in section three thousand one hundred ninety-seven (3197) of the Code, relating to the giving of bonds by guardians, and providing for the amount and approval of the same.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Horchem, Senate File No. 352, a bill for an act to amend sections four thousand nine hundred ninety-nine-al

(4999-a1), four thousand nine hundred ninety-nine-a2 (4999-a2) and four thousand nine hundred ninety-nine-a5 (4999-a5), supplement to the code, 1913, and to repeal section four thousand nine hundred ninety-nine-a4 (4999-a4), supplement to the code, 1913, and to provide for the safety and comfort and health of employees and other persons in places where industry, trade or business is carried on, and to provide for inspection of such places and for the promulgation of rules, regulations and orders by the commissioner of the bureau of labor statistics, and to provide penalties for the violation of the provisions of this act.

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

By Senator Reed, Senate File No. 353, a bill for an act to prohibit the pollution of Iowa streams, lakes, or other bodies of water, defining such pollution as a nuisance, and providing a penalty for violations thereof, and for the abatement of such nuisance.

Read first and second time and referred to committee on public health.

By Senator Schaffter, Senate File No. 354, a bill for an act to amend section five hundred seventy-six (576), supplement to the code, 1913, relating to the duties of township clerks and the deposit of public funds collected by them.

Read first and second time and referred to committee on county and township affairs.

By Senator Stephenson, Senate File No. 355, a bill for an act creating a board of examiners to examine and license automobile mechanics and repair men, prescribing its duties, provide for license to automobile mechanics and repair men to follow their vocation, and providing punishment for violation thereof.

Read first and second time and referred to committee on motor vehicles.

By Senator Foskett, Senate File No. 356, a bill for an act dissolving the corporation not for pecuniary profits known as the State Historical Society of Iowa, and transferring all of its property of whatever kinds, its funds and appropriations to the State



University of Iowa; authorizing the State University to encourage research work in the history of Iowa, and to publish the results of such research work; and repealing section twenty-eight hundred eighty-two (2882), section twenty-eight hundred eighty-three (2883), section twenty-eight hundred eighty-four (2884), section twenty-eight hundred eighty-five (2885), section twenty-eight hundred eighty-six (2886), section twenty-eight hundred eighty-seven (2887), section twenty-eight hundred eighty-eight (2888) of the Code, and section twenty-eight hundred eighty-two-a (2882-a), section twenty-eight hundred eighty-two-b (2882-b), section twenty-eight hundred eighty-two-c (2882-c), and section twenty-eight hundred eighty-two-d (2882-d), Supplement to the Code, 1913.

Read first and second time and referred to committee on educational institutions.

By Senator Price, Senate File No. 357, a bill for an act to provide for the levy and collection of a tonnage tax on all coal mined and sold in Iowa, by coal mining companies and that the said tax shall be used for the support of schools where miners' children are educated.

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

By Senator Price, Senate File No. 358, a bill for an act to repeal chapter two hundred thirty-three (233), of the acts of the thirty-seventh General Assembly and providing for an open season on quail.

Read first and second time and referred to committee on fish and game.

By Senator Price, Senate File No. 359, a bill for an act to repeal chapter two hundred two (202) of the acts of the thirty-seventh General Assembly and to provide for an open season on prairie chicken.

Read first and second time and referred to committee on fish and game.

By Senator Proudfoot, Senate File No. 360, a bill for an act to repeal section two thousand five hundred seventy-five-a34 (2575-a34)

of the supplement to the code, 1913, and to enact a substitute therefor relating to the practice of nursing.

Read first and second time and referred to committee on public health.

By Senator Horchem, Senate File No. 361, a bill for an act regulating the sale of shoes and requiring that shoes sold or offered for sale in this state shall be branded, and making it a misdemeanor to sell or offer for sale shoes that are not branded.

Read first and second time and referred to committee on commerce and trade.

By Senator Horchem, Senate File No. 362, a bill for an act to authorize the payment of clerks heretofore employed by jury commissions.

Read first and second time and referred to committee on county and township affairs.

By Senator Ratcliff, Senate File No. 363, a bill for an act to repeal the law as it appears in Chapter Eighty-eight (88), Acts of the Thirty-seventh General Assembly, and to enact a substitute therefor, relating to the appointment of agents to demand of the executive authority of another State or Foreign Government fugitives from justice.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Ratcliff, Senate File No. 364, a bill for an act to establish a normal school at Red Oak, Iowa, and to authorize the State Board of Education to accept donations of site therefor.

Read first and second time and referred to committee on educational institutions.

By Senator Rule, Senate joint resolution No. 7, 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.

Read first and second time and ordered passed on file.

Senate Joint Resolution No. 7.

BY RULE.

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 be, and the same is hereby proposed, to wit:

That Section One (1) of Article Two (2) of the constitution of the State of Iowa be repealed, and the following enacted in lieu thereof and adopted, to wit:

SECTION 1. Every citizen of the United States, of the age of Twenty One (21) years, who shall have been a resident of this state six (6) months next preceding the election, and of the County in which he or she claims his or her vote, Sixty (60) days, shall be entitled to vote at all elections which are now or hereafter may be authorized by law.

*Resolved further*, that the foregoing proposed amendment be, and the same is hereby referred to the Legislature to be chosen at the next general election for members of the next General Assembly, and that the Secretary of State cause the same to be published for Three (3) months previous to the day of said election, as provided by law.

On motion of Senator Le Compte, Rule 33 was suspended for the day.

CONCURRENT RESOLUTION.

Senator Ratcliff offered the following resolution:

*Be It Resolved by the Senate, the House concurring:*

Whereas, the law of Congress, known as "The Daylight Savings Law" has proven detrimental to the interests of the people of Iowa, and the great Agricultural interests of the State and there is an almost universal demand for the repeal of said law.

*Be It Further Resolved*, That the senators and representatives from Iowa, in Congress at Washington, D. C., be requested and urged to use their influence and votes in order to secure the repeal of the said "Daylight Savings Law."

*Be It Further Resolved*, That a certified copy of this resolution be forwarded to the United States Senators and Representatives from Iowa.

The resolution was laid over under the rules.

## SPECIAL ORDER.

Senator Holdoegel moved that Senate File No. 166 be made a special order for Wednesday, March 19th, at 10:30 a. m.

Senator Frailey moved to amend by making the time Tuesday, March 11th, at 11 a. m.

Senator Frailey invoked Rule 8.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 24.

Broxam	Haskell	Ratcliff
Buser	Kimball	Rule
Byington	Kimberly	Schaffter
Coburn	LeCompte	Smith
Evans	Mitchell	Stephenson
Frailey	Nelson	Thompson
Greenell	Pitt	White
Hale	Rainbow	Wilson

Nays, 20.

Adams	Foskett	Proudfoot
Anderson	Foster	Scott
Arney	Holdoegel	Shane
Balkema	Horchem	Stoddard
Ball	Kingland	Taylor
Cessna	Merodith	Whitmore
Fellows	Price	

Absent or not voting, 6.

Brookhart	Newberry	Reed
Edwards	Parker	Van Alstine

The amendment was adopted.

The motion as amended prevailed.

## TIME EXTENDED FOR INTRODUCING BILLS.

On the request of the committee on departmental affairs, Senator Holdoegel moved that an extension of time beyond March 15th be granted for the introduction of bills from the state departments.

The motion prevailed.

## SENATE FILES WITHDRAWN.

By unanimous consent, Senator Ratcliff withdrew Senate Files Nos. 49 and 50 from further consideration.

## 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. 258, a bill for an act to legalize a certain election held in the Independent School District of Missouri Valley in the County of Harrison and State of Iowa, on the twelfth day of March, 1917, and to authorize and legalize bonds to be issued pursuant to such election and to authorize the expenditure of the funds for the purposes as proposed at said election.

W. C. RAMSAY, *Chief Clerk.*

## HOUSE AMENDMENTS CONCURRED IN.

Senator Pitt called up Senate File No. 258 and moved that the Senate concur in the following House amendments:

Amend by striking out all of section 2 and substituting in lieu thereof the following:

"Sec. 2. Nothing in this act shall affect pending litigation.

SEC. 3. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Capital, a newspaper published in Des Moines, Iowa, and in the Missouri Valley Times, a newspaper published in Missouri Valley, Iowa, without expense to the state."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 38.

Adams	Horchem	Rule
Anderson	Kimball	Schaffter
Balkema	Kimberly	Scott
Ball	Kingland	Shane
Brookhart	LeCompte	Smith
Broxam	Meredith	Stephenson
Buser	Mitchell	Stoddard
Byington	Nelson	Thompson
Coburn	Newberry	Van Alstine
Evans	Pitt	White
Foskett	Price	Whitmore
Foster	Rainbow	Wilson
Greenell	Ratcliff	

Nays, none.

Absent or not voting, 12.

Arney  
Cessna  
Edwards  
Fellows

Fralley  
Hale  
Haskell  
Holdoegel

Parker  
Proudfoot  
Reed  
Taylor

The House amendments, having received a constitutional majority, were declared to have been concurred in by the Senate.

#### 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, in which the concurrence of the House was asked, to House File No. 302.

W. C. RAMSAY, *Chief Clerk.*

Also:

I directed to inform your honorable body that the House has concurred in Senate amendment, in which the concurrence of the House was asked, to House File No. 295.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendment, in which the concurrence of the House was asked, to House File No. 189.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendment, in which the concurrence of the House was asked, to House File No. 139.

W. C. RAMSAY, *Chief Clerk.*

Also:

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, to House File No. 119.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has con-

curred in Senate amendment, in which the concurrence of the House was asked, to House File No. 132.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendment, in which the concurrence of the House was asked, to House File No. 130.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendment, in which the concurrence of the House was asked, to House File No. 84.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendment, in which the concurrence of the House was asked, to House File No. 26.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 409, a bill for an act to legalize the transfer of funds by the city council of the city of Dubuque.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 187, a bill for an act to amend section two thousand seven hundred twenty-seven-3-a (2727-3a) supplement to the code, 1913, relative to the salary of the chief executive officer of the institution for the feeble minded children at Glenwood.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 233, a bill for an act to amend the law as it appears in

section two thousand seven hundred and seventy-three (2773) supplement to the code, 1913, relating to the powers of school boards for fixing length of terms, and in providing means of transportation for pupils.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 89, a bill for an act to repeal section 4597, code, and to enact a substitute therefor relating to fees of justices of the peace.

W. C. RAMSAY, *Chief Clerk.*

Also:

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 relating to invitation to visit the Thirty-eighth General Assembly to be extended to General Peyton March and Secretary of War Baker on March 11th.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 187, a bill for an act to amend section two thousand seven hundred twenty-seven-3a (2727-3a) supplement to the code, 1913, relative to the salary of the Chief Executive Officer of the Institution for the Feeble Minded Children at Glenwood.

Read first and second time and referred to committee on board of control.

House File No. 409, a bill for an act to legalize the transfer of funds by the City Council by the City of Dubuque.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 89, a bill for an act to repeal Section 4597, Code, and to enact a substitute therefor relating to fees of Justices of the peace.

Read first and second time and referred to committee on county and township affairs.

House File No. 233, a bill for an act to amend the law as it ap-



pears in section two thousand seven hundred and seventy-three (2773) supplement to the Code, 1913, relating to the powers of school boards for fixing length of term, and in providing means of transportation for pupils.

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

#### CONCURRENT RESOLUTION.

*Be It Resolved by the House, the Senate concurring,* that whereas General Peyton March of the United States Army and Secretary of War Baker, two distinguished gentlemen with international reputation, will visit Des Moines next Tuesday, March 11th, therefore,

*Be It Resolved,* that we extend to them through our Adjutant General Lascher, an invitation to visit the Thirty-eighth General Assembly, at their convenience, while in the city.

Senator Byington offered the following amendment and moved its adoption:

Amend by changing the word "visit" to "address", in the seventh line.

The amendment was adopted.

The Senate concurred in the resolution as amended.

#### HOUSE AMENDMENTS CONCURRED IN.

Senator Proudfoot called up Senate File No. 210 and moved that the Senate concur in the following House amendments:

First, by striking out of the fourth line of Section 1 the words "the Governor and".

Second, by striking out of the last line of Section 3 the words "additional assistance in special instances" and inserting in lieu thereof the words "necessary additional assistance in order to complete the work in the time specified herein".

Third, by adding to Section 5 the following: "Said report shall be considered by the General Assembly, and owing to the great necessity for the adoption thereof the Governor is hereby requested to convene the Legislature in extra session during the month of January, 1920, or as soon thereafter as practicable, for the consideration of said report and code.

Fourth, by striking out of next to the last line of Section 8 the period and the words "said code" and inserting in lieu thereof the words "and such additional copies of said report shall be printed as may be reasonably necessary in the judgment of the Executive Council to supply the demand for said report. Said code and report".

Fifth, by striking from Section 9 the words "the time may be extended by the Governor if necessary or expedient" and inserting in lieu thereof the words "said report on or before January 1, 1920."

Sixth, by striking out of Section 7 the words "new plates may be made and".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 48.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Broxam	Kimberly	Shane
Buser	Kingland	Smith
Byington	LeCompte	Stephenson
Cessna	Meredith	Stoddard
Coburn	Mitchell	Taylor
Evans	Nelson	Thompson
Fellows	Newberry	Van Alstine
Foskett	Pitt	White
Foster	Price	Whitmore
Frailey	Proudfoot	Wilson

Nays, none.

Absent or not voting, 2.

Edwards                      Parker

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 Schaffter, 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 the following bills: House File No. 94, a bill for an act to forbid the crying of sales of property by certain nonresidents, making the violation thereof unlawful, and providing a penalty therefor.

Also:

House File No. 131, a bill for an act to repeal chapter three hundred eighty-four of the laws of the thirty-seventh General Assembly, relating to a tax levy for park improvement purposes, and to enact a substitute therefor.

House File No. 37, a bill for an act to amend article four of section four thousand five hundred ninety-eight (4598) of the code, relative to the fees of constables.

Also:

House File No. 116, a bill for an act to amend Chapter 23 of the Acts of the thirty-seventh general assembly, relating to pensions for police officers.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### REPORT ON COMMITTEE CLERK.

March 10, 1919.

MR. PRESIDENT—Your committee, to which was referred the matter of examining applicants for employment as stenographers, begs leave to report that it has examined and found proficient Julia Stowell, who has been assigned to Senator Haskell, in place of Clarence H. Churchman, resigned.

We recommend that she be confirmed and that her appointment date from March 8, 1919.

EUGENE SCHAFFTER, *Chairman.*

The report was adopted.

#### REPORTS OF COMMITTEES.

Senator Hale, from the committee on board of control, submitted the following report:

MR. PRESIDENT—Your committee on board of control, to whom was referred Senate File No. 158, a bill for an act to amend section twenty-seven 3a of the supplement to the code, 1913, providing for salaries of chief executives of certain state institutions, beg leave to report that they have had the same under consideration and recommend the same be referred to the appropriations committee with recommendations for passage.

J. K. HALE, *Chairman.*

On motion of Senator Hale, the report was adopted and the bill was referred to committee on appropriations.

Also:

Your committee on board of control, to whom was referred Senate File No. 227, a bill for an act to establish a home for dependent, neglected,

delinquent or destitute children, residents of Iowa, as defined by the laws of the state of Iowa, to secure necessary grounds, site, buildings and equipment, etc., beg leave to report they have had the same under consideration and recommend the same be referred to the appropriations committee with recommendations for passage.

J. K. HALE, *Chairman*.

On motion of Senator Hale, the report of the committee was adopted and the bill referred to the committee on appropriations.

Also:

Your committee on board of control, to whom was referred Senate File No. 132, a bill for an act relating to the rules of admission to the Iowa Soldiers Home, 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:

Amend by striking out all after the enacting clause, and substitute the following:

Amend section 2606 of the supplement to the code, 1913, as follows: Strike out of line one (1) of paragraph two (2) the following words: "eighteen hundred ninety", and insert in lieu thereof the words, "nineteen hundred five".

J. K. HALE, *Chairman*.

Ordered passed on file.

Also:

Your committee on board of control, to whom was referred Senate File No. 248, a bill for an act to authorize and empower the executive council to lease the right to mine the coal from under all that portion of the present state fair ground, etc., beg leave to report they have had the same under consideration and recommend the same do pass.

J. K. HALE, *Chairman*.

Ordered passed on file.

Also:

Your committee on board of control, to whom was referred House File No. 245, a bill for an act to amend the law as it appears in section 2506, Supplemental Supplement to the Code, 1915, relating to rules of admission to the Iowa Soldiers Home, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. K. HALE, *Chairman*.

Ordered passed on file.

Senator Ball, from the committee on public health, submitted the following report:

MR. PRESIDENT—Your committee on public health, to whom was referred Senate File No. 222, by Greenell, a bill for an act to repeal section twenty-five hundred fourteen-h (2514-h), section twenty-five hundred fourteen-m (2514-m), section twenty-five hundred fourteen-q (2514-q), section twenty-five hundred fourteen-s (2514-s) and section twenty-five hundred fourteen-t (2514-t), of the Supplement to the Code, 1913, and to enact substitutes therefor, etc. beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

Geo. W. Ball, *Chairman*.

On motion of Senator Ball, the report of the committee was adopted and the bill indefinitely postponed.

Senator Pitt, from the committee on labor, submitted the following report:

MR. PRESIDENT—Your committee on labor, to whom was referred Senate File No. 159, a bill for an act to promote the general welfare of the people of this state by creating a liability on the part of employers to secure and compensate their employes and dependents, irrespective of the fault of either party, for personal injuries sustained by such employes when the same arise out of and in the course of their employment, and providing for such compensation and benefits; determining the conditions and terms under which certain employers and their employes may reject, and certain other employers and their employes may accept, the compensation provisions of this chapter; fixing the character and amount of such compensation and benefits and the manner of arriving at same, and also specifying the terms and conditions under which the same shall be paid; providing for the enforcement and administering of such compensation statute, and fixing penalties for the violation of its provisions; and repealing Chapter 8-A, Title XII, Supplement to the Code, 1913, and all acts amendatory thereof, and all other acts, or parts of acts, in conflict herewith, beg leave to report they have had the same under consideration and recommend the same be reported out for passage by this committee, and now be referred to a joint meeting of the judiciary committees numbers 1 and 2, at a public hearing to be held on Monday, March 10th, at 3 p. m., and that all the members of this committee be asked to attend.

M. B. Pitt, *Chairman*.

Ordered passed on file.

Senator Foskett, from the committee on appropriations, submitted the following report:

MR. PRESIDENT—Your committee on appropriations, to whom was referred Senate File No. 208, a bill for an act to provide free hospital service and medical and surgical treatment, and for the expense thereof for per-

sons who are afflicted with malady and deformity which can probably be remedied, and jurisdiction of courts in said cases beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 233, a bill for an act to amend the law as it appears in section 2682-m, supplement to the code, 1913, relating to the mileage paid to members of the Iowa State Board of Education, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 278, a bill for an act to amend the law as it appears in chapter 363, acts of the 37th General Assembly, relating to aid for poultry associations, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations to whom was referred Senate File No. 102 a bill for an act appropriating \$561.52 in favor of P. K. Holbrook for per diem and railroad fare at 2c a mile incurred by him in discharge of his official duties as a member of the Iowa State Board of Education from July 14, 1915, to October 12, 1916, inclusive, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations to whom was referred Senate File No. 309 by Ratcliff, a bill for an act to enable soldiers of the 168th Infantry, 42nd Division, U. S. Army, who have been invalided home to participate in the contemplated receptions to the said Division, and such reviews and receptions upon return to United States by said Divisions, and to appropriate money therefor and provide for disbursement thereof, beg leave to report they have had the same under consideration and recommend that the same be amended as follows: and when so amended that the bill do pass:

By inserting in line two of the title after the word "home" the following: "or returned home by the government and the commission herein appointed". Also by inserting after the word "army" in line five of section one the following; "who at the time of their enlistment or induction into said regiment were residents of Iowa, or since their return have become residents of Iowa"; and after the word "government" in line six of section one the words "and the commission herein appointed", and after the word "as" in line nine of section one the words "shall be," and after the word "be" in line nine of section one the word "the". Also by inserting after the parenthesis in line two of section two the following words; "as designated in section one hereof"; also by inserting after the word "from" in the last line of section three the word "this"; also by inserting after the word "them" in line eight of section four the word "made".

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations to whom was referred Senate File No. 160, a bill for an act amending Section 2727-3a Supplemental Supplement to the Code of Iowa 1913, relative to the salary of the chief executive officer of the Institution for Feeble Minded Children at Glenwood 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:

Amend the title by striking out in line three thereof the word "supplemental" and the words "of Iowa".

Amend Section One by striking out of line two thereof the words "Supplemental" and "of Iowa".

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations to whom was referred Senate File No. 73, a bill for an act authorizing the erection of a soldiers' and sailors' Memorial in form of a building for the housing of the library and all judicial departments of the state and providing for a joint committee to provide plans and contracts, fixing the approximate cost, providing for the erection of the same under section 1400-t2 of the supplement to the code, 1913, and providing for payment of cost of same from funds provided by section 1400-t of the supplement to the code, 1913, and providing for compensation of committee beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

H. I. FOSKETT, *Chairman.*

Senator Hale moved the previous question, which motion prevailed, and the previous question was ordered.

On the question, "Shall the report of the committee be adopted?" the vote was:

Ayes, 15.

Ball	Greenell	Nelson
Brookhart	Hale	Pitt
Broxam	Haskell	Schaffter
Buser	Kingland	Smith
Coburn	LeCompte	Stephenson

Nays, 28.

Adams	Horchem	Rule
Anderson	Kimball	Scott
Arney	Kimberly	Shane
Balkema	Meredith	Stoddard
Byington	Newberry	Taylor
Cessna	Price	Thompson
Evans	Proudfoot	Van Alstine
Fellows	Rainbow	Whitmore
Foskett	Ratcliff	Wilson
Frailey		

Absent or not voting, 7.

Edwards	Mitchell	Reed
Foster	Parker	White
Holdoegel		

The report of the committee was rejected, and the bill ordered on the calendar.

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed House Files Nos. 37, 94, 116, 131.

#### AMENDMENTS FILED TO SENATE FILE NO. 53.

Senator Evans filed the following amendments to be printed in the journal:

I move to amend Senate File No. 53 as follows:

1st. By striking out the title thereto and substituting in lieu thereof the following:



"A bill for an act concerning land titles, providing for the perfecting, registration and transfer of the title to real estate, prescribing the manner in which registration of title may be obtained and the rights accruing thereunder providing for assurance of title and for indemnity and for penalties for the violation of any provisions of the law and to be known as the Torrens Land Title System."

2nd. By striking out the word "summons" wherever the same appears in section 18 of said bill and substituting in lieu thereof the words "Original Notice".

3rd. By striking out the word "issuing" in the eleventh line of section 18 of the bill and substituting in lieu thereof the word "ensuing".

4th. By striking out the period at the end of line four of section 19 and substituting in lieu thereof the words "in the following form".

5th. By striking out the word "thirty" in the eleventh line of section 24 and substituting in lieu thereof the word "sixty".

6th. By striking out all after the period in line twelve of section 24 and all of line thirteen of said section and all of line fourteen except the last word of said line fourteen.

7th. By striking out the words "writ of error" in the 33d line of section 24.

8th. By striking out the word "may" in the second line of section 28 and inserting the word "may" before the word "be" in the third line of said section.

9th. By striking out the words "one tenth" in line seven of section 90 and inserting in lieu thereof the words and figures "one-twentieth (1-20)".

W. T. EVANS.

#### MOTION TO RECONSIDER FILED.

MR. PRESIDENT—I move that the vote by which Senate File No. 111 passed the Senate Saturday, March 8th, be reconsidered.

GEO. W. BALL.

Senator Whitmore moved that the Senate adjourn until 1:30 p. m. today.

Senator Evans moved to amend by making the time 9:00 a. m. Tuesday.

The motion as amended prevailed and the Senate adjourned until 9:00 a. m. Tuesday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 11, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. E. G. Williams, pastor of the First Presbyterian church of Colfax.

On motion of Senator Brookhart, rule 33 was suspended for the day.

## PETITIONS AND MEMORIALS.

Senator Proudfoot presented a remonstrance of citizens of Warren county against the Dean Bill.

Referred to committee on schools.

Senator Brookhart presented a remonstrance of citizens of Riverside against the Dean Bill.

Referred to committee on schools.

Senator Greenell presented a remonstrance of the Clinton Commercial Club against Senate File No. 9.

Referred to committee on highways.

Senator Van Alstine presented a petition of the State Federation of Women's Club and other organizations favoring an institution for feeble minded persons at Knoxville.

Referred to committee on appropriations.

Senator Schaffter presented a petition of citizens of Wright county favoring federal farm loan bonds.

Referred to committee on banks and banking.

Senator Anderson presented a petition of citizens of Carroll county favoring federal farm loan bonds.

Referred to committee on banks and banking.

Senator Anderson presented a remonstrance of citizens of Carroll county against the Dean Bill.

Referred to committee on schools.

Senator Haskell presented a remonstrance of St. Wences-Laus Parish of Cedar Rapids against the Dean Bill.

Referred to committee on schools.

Senator Ball presented a petition of citizens of Jefferson county favoring increased tax on dogs.

Referred to committee on ways and means.

Senator Scott presented a remonstrance of members of St. Mary's Parish, North Washington, against the Dean Bill.

Referred to committee on schools.

Senator Hale presented a remonstrance of citizens of Jones county against the Dean Bill.

Referred to committee on schools.

Senator Kingland presented a remonstrance of members of the Lutheran church, St. Ansgar, against the Dean Bill.

Referred to committee on schools.

Senator Byington presented a remonstrance of members of St. Joseph Parish, Hills, against the Dean Bill.

Referred to committee on schools.

Senator Fellows presented remonstrances of citizens of Allamakee and Fayette counties against the Dean Bill.

Referred to committee on schools.

Senator Nelson presented a petition of citizens of Cass county favoring federal farm loan bonds.

Referred to committee on banks and banking.

#### INTRODUCTION OF BILLS.

By committee on public utilities, Senate File 365, a bill for an act to change the qualifications, terms, membership, compensation and manner of selection of the Board of Railroad Commissioners; to enlarge its powers; to grant jurisdiction and certain powers over certain public utilities; to provide for the enforcement of and appeals from its decisions; to repeal section 1068 of the supplement to the code, 1913, and section 2111 of the code, and all acts and parts of acts in conflict with the provisions of the act, and to provide penalties for violation of the act.

Read first and second time and passed on file.

By Senator Kingland, Senate Joint Resolution No. 8.

Joint resolution proposing to amend the Constitution of the State 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.

By Senator Kingland, Senate File No. 366, a bill for an act to amend section three thousand and forty-one (3041) of the Code, relating to usury and making usury a misdemeanor and providing a penalty therefor.

Read first and second time and referred to committee on Judiciary No. 1.

By Senator Anderson, Senate File No. 367, a bill for an act to repeal sections twenty five hundred eighty three-a (2583-a), twenty five hundred eighty three-b (2583-b), twenty five hundred eighty three-c (2583-c), twenty five hundred eighty-three-d (2583-d), twenty five hundred eighty-three-e (2583-e) and twenty five hundred eighty three-f (2583-f) Supplement to the code, 1913, and enact a substitute therefor regulating the practice of Osteopathy or any other system or method of treating human ailments and fixing a penalty for violation thereof.

Read first and second time and referred to committee on public health.

By Senator Newberry, Senate File No. 368, a bill for an act to aid in the securing of loans by deserving persons whose business or circumstances are such as to make it desirable or convenient for them to accumulate funds with which to repay such loans by paying into a fund comparatively small amounts at frequent intervals, and to provide for the taxation of corporations engaged in such loan business.

Read first and second time and referred to committee on ways and means.

By Senator Anderson, Senate File No. 369, a bill for an act authorizing the Governor of the State of Iowa to issue patent conveying to Joseph B. Hill, the following described lands situated and lying in Greene County, State of Iowa, to-wit: The Southeast Quarter ( $SE\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of Section Seventeen (17), Township Eighty-five (85) North Range Thirty (30), West of the Fifth (5th) Principal Meridian and containing forty (40) acres, more or less, according to the government survey.

Read first and second time and referred to committee on public lands.

By Senator Frailey, Senate File No. 370, a bill for an act repealing section one thousand nine (1009) of the Code relating to the drawing of warrants and enacting a substitute in lieu thereof.

Read first and second time and referred to committee on county and township affairs.

By Senator Rule, Senate File No. 371, a bill for an act to abolish the state hospital for inebriates at Knoxville, Iowa, to provide wards at the state hospital for the insane for the detention and treatment of persons addicted to the excessive use of narcotic drugs, to establish a vocational school at Knoxville, Iowa, and making a diversion of funds therefor, and for the repeal of all acts inconsistent with the provisions hereof.

Read first and second time and referred to committee on board of control.

By Senator Brookhart, Senate File No. 372, a bill for an act to amend Section Two Thousand Five Hundred Forty (2540) Supplemental Supplement to the Code, 1915, in relation to the time when people may fish with rod, line and hook.

Read first and second time and referred to committee on fish and game.

By Senator Schaffter, Senate File No. 373, a bill for an act to amend chapter three hundred and fifty (350) of the acts of the thirty-seventh (37) general assembly relating to assistants to the attorney general.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Arney, Senate File No. 374, a bill for an act to amend section one (1), chapter one hundred thirty-seven (137), Acts of the Thirty-seventh General Assembly, relating to the notification to delinquent taxpayers by the county treasurer.

Read first and second time and referred to committee on ways and means.

By Senator Arney, Senate File No. 375, a bill for an act to repeal the law as it appears in section fourteen hundred seven (1407), supplement to the code, 1913, and section fourteen hundred seven-1-a (1407-1-a), supplement to the code, 1913, and to enact a substitute in

lieu thereof, relating to delinquent tax collectors—appointment of—compensation—sheriff.

Read first and second time and referred to committee on ways and means.

By Senator Arney, Senate File No. 376, a bill for an act to repeal a part of section thirteen hundred ninety-one (1391), supplemental supplement to the code, 1915, also to repeal a part of section thirteen hundred seventy-four (1374), of the code, also to repeal all of section fourteen hundred fifteen (1415), supplement to the code, 1913, and to enact substitutes in lieu thereof, relating to the apportionment and distribution of tax penalties and interest.

Read first and second time and referred to committee on ways and means.

By Senator Proudfoot, Senate File No. 377, a bill for an act to amend the law as it appears in section twenty-five hundred seventy-five-a30 (2575-a30), supplement to the code, 1913, regulating the practice of nursing and providing a penalty for the violation thereof.

Read first and second time and referred to committee on public health.

By Senator Whitmore, Senate File No. 378, a bill for an act to amend Section 2480 of the Code, relating to compensation of board of mine examiners.

Read first and second time and referred to committee on departmental affairs.

By Senator Haskell, Senate File No. 379, a bill for an act to grant additional powers to certain cities organized under the provisions of chapter fourteen-c (14-c), Title V, sections ten hundred fifty-six-a-seventeen (1056-a17) to ten hundred fifty-six-a-sixty-five (1056-a65), inclusive, supplement to the Code, 1913, and amendments thereto, in relation to selling or donating for county seat purposes, lands belonging to said cities.

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

## SENATE CONCURRENT RESOLUTION.

Senator Whitmore offered the following resolution:

*Be It Resolved by the Senate of the General Assembly of the State of Iowa, the House concurring:*

SECTION 1. That the document editor shall, during the session, prepare a list showing all laws other than legalizing acts enacted by this session, the list to show: First, those laws of a general nature duly enrolled and containing a publication clause; second, those laws duly enrolled and not containing a publication clause; third, those laws enacted but awaiting the signature of the governor immediately following adjournment. The list to give the file number of the bill and a very short statement of the subject matter, and shall cause the same to be printed, and a copy thereof to be mailed to each member of the House and Senate during the week following final adjournment.

SEC. 2. For the purpose of preparing this list, and preparing indices to the Senate and House Journals, and to the legislative index, the document editor is authorized to employ for thirty days after the close of this session one clerk at a compensation not exceeding eighty dollars for the month.

By unanimous consent the resolution was taken up, considered and adopted.

## REPORTS OF COMMITTEES.

Senator Proudfoot, from the committee on judiciary No. 2, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 2, to whom was referred Senate File No. 272, a bill for an act to amend the law as it appears in chapter 310, acts of the 37th general assembly, relating to the drawing of grand and petit jurors, fixing the number thereof, etc., beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 204, a bill for an act to amend the law as it appears in section 1177-b, supplement to the code, 1913, relating to surety bonds, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.



Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 288, a bill for an act to amend section 5240 of the supplement to the code, 1913, relating to the impanelling of the grand jury, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred House File No. 269, a bill for an act to amend section 1989-a41, supplement to the code, 1913, relating to fees paid appraisers of damages and commissioners to assess benefits, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 338, a bill for an act to amend section 254-2-32, supplement to the code, 1913, relating to juvenile court, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman*.

On motion of Senator Proudfoot, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred House File No. 86, a bill for an act to repeal section 3152 of the code, and enact a substitute therefor, relating to the fee for officiating at marriage and making return thereof, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman*.

On motion of Senator Proudfoot, the report of the committee was adopted and the bill indefinitely postponed.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred House File No. 111, a bill for an act to amend the law as it appears in section one (1), chapter one hundred fifty-six (156), of the acts of the thirty-seventh general assembly, relating to high school tuition of nonresident pupils in approved schools, beg leave to report they have had the same under consideration and recommend the same do pass.

B. W. NEWBERRY, *Chairman*.

Ordered passed on file.

Also:

Your committee on public schools, to whom was referred House File No. 66, a bill for an act to amend section nine (9) of chapter three hundred eighty-six (386) of the acts of the thirty-seventh general assembly, relative to estimate for general fund of school corporations, beg leave to report they have had the same under consideration and recommend the same do pass.

B. W. NEWBERRY, *Chairman*.

Ordered passed on file.

Senator Coburn, from the committee on agriculture, submitted the following report:

MR. PRESIDENT—Your committee on agriculture, to whom was referred Senate File No. 192, a bill for an act to provide for purchasing additional land for the Iowa state fair and for paying paving and curbing assessment against the Iowa state fair grounds and to make appropriations therefor, 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.

GEORGE F. COBURN, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

Your committee on agriculture, to whom was referred House File No. 29, a bill for an act to repeal the law as it appears in sections sixteen hundred fifty-eight (1658) and sixteen hundred fifty-nine (1659), supplement to the code, 1913, and section sixteen hundred sixty-one-a (1661-a), supplemental supplement to the code, 1915, and to enact a substitute therefor, relating to state aid granted county and district

fairs or agricultural societies, 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.

GEORGE F. CORBURN, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

Also:

Your committee on agriculture, to whom was referred Senate File No. 193, a bill for an act to provide for the construction of a cattle barn and sale pavilion on the Iowa state fair grounds 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 appropriations committee with the recommendation that the same do pass.

GEORGE F. CORBURN, *Chairman*.

The report was adopted and the bill referred to committee on appropriations.

#### ADDITIONAL MEMBERS COMMITTEE ON MOTOR VEHICLES.

The president announced the appointment of Senators Holdogel, Anderson and Arney as additional members of the committee on motor vehicles.

#### MOTION TO RECONSIDER CALLED UP.

Senator Buser called up the motion filed by him to reconsider the vote by which the report of the committee was adopted indefinitely postponing Senate File No. 128.

On the question, "Shall the vote be reconsidered?" the vote was:

**Ayes, 31.**

Adams  
Arney  
Balkema  
Ball  
Broxam  
Buser  
Cessna  
Edwards  
Evans  
Fellows  
Foster

Greenell  
Hale  
Haskell  
Kimberly  
Kingland  
LeCompte  
Meredith  
Mitchell  
Nelson  
Parker

Pitt  
Rainbow  
Reed  
Scott  
Smith  
Stephenson  
Stoddard  
Taylor  
White  
Wilson

Nays, 14.

Anderson  
Byington  
Coburn  
Foskett  
Horchem

Kimball  
Newberry  
Proudfoot  
Ratcliff  
Rule

Schaffter  
Shane  
Thompson  
Whitmore

Absent or not voting, 5.

Brookhart  
Fralley

Holdoegel  
Price

Van Alstine

The motion to reconsider prevailed.

### THIRD READING OF BILLS.

On motion of Senator Van Alstine, Senate File No. 82, a bill for an act to make uniform the law of sales of goods, and repealing all acts or parts of acts inconsistent herewith and providing that this act may be cited as the Uniform Sales Act, made a special order for this time, was taken up and considered.

The following pending amendment by Senator Whitmore was considered:

Substitute "\$100.00" for "\$500.00" in line 2 of section 4.

The amendment was lost.

The following amendment by Senator Newberry was considered:

I move that the words "of the value of \$500.00 or upwards" in line 2 in section 4 of the pending bill be stricken.

The amendment was adopted.

Senator Greenell was called to the chair at 10:30. President Moore resumed the chair at 10:50.

Senator Van Alstine 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 vote was:

## Ayes, 26.

Adams	Horchem	Reed
Anderson	Kimball	Rule
Arney	Kimberly	Schaffter
Cessna	LeCompte	Shane
Evans	Newberry	Smith
Foskett	Parker	Thompson
Frailey	Price	Van Alstine
Haskell	Proudfoot	Whitmore
Holdoegel	Ratcliff	

## Nays, 21.

Balkema	Edwards	Mitchell
Ball	Fellows	Nelson
Brookhart	Foster	Rainbow
Broxam	Greenell	Scott
Buser	Hale	Stephenson
Byington	Kingland	Stoddard
Coburn	Meredith	Taylor

## Absent or not voting, 3.

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

## SPECIAL ORDER.

On motion of Senator Evans, Senate File No. 53 was made a special order for 9:45 a. m. Wednesday.

## CORRECTION OF JOURNAL.

The journals of March 8th and 10th were corrected and approved.

## LEAVE OF ABSENCE.

On request of Senator Meredith, leave of absence was granted Senator Cessna for the day.

## THIRD READING OF BILLS.

Senator Foster moved that speeches on Senate File No. 166 be limited to five minutes.

The motion was lost.

On motion of Senator Holdoegel, Senate File No. 166, a bill for an act to amend Chapter Two-A (2-A) of Title Six (VI), Supplement to the Code, 1913, relating to primary elections and nominations for office and to amend Section One Thousand and Eighty-seven-a16 (1087-a16), Supplement to the Code, 1913, and to provide that the primary election laws, and laws relating to the nomination of candidates for office, shall apply to women the same as to men, reported back by committee without recommendation, was taken up for consideration, and the report of the committee was adopted.

Senator Holdoegel moved that House File No. 182, a companion bill, be substituted therefor.

The motion prevailed.

Senator Rule offered the following motion:

I move that Senate Joint Resolution No. Seven (7), providing for amending the constitution relating to the right of suffrage, be placed upon the calendar in place of House File No. 182, Calendar No. 94, and that House File No. 182 be indefinitely postponed.

Senator Whitmore raised the point of order that the motion of Senator Rule was out of order, as it contained two motions in one and also that substitution could not be made because the subjects were not sufficiently related.

Senator Price raised the point of order that the point of order raised by Senator Whitmore was not debatable. The president held the point of order well taken.

In ruling on the point of order raised by Senator Whitmore, the president held that the second point was not well taken, as the subject matter was sufficiently related to permit of a substitution on the calendar; and sustained the first point by ordering a division of the motion.

Senator Whitmore raised the point of order that Senate Joint Resolution No. 7 should have been referred when introduced. The president held the point of order not well taken, as the rules require reference unless otherwise ordered, and in this case the resolution was ordered passed on file without objection.

Senator Rule requested that the second part of the motion be considered first. Upon the suggestion of Senator Kimball, Senator Rule withdrew his request and the motion as divided was taken up in regular order.

Senator Whitmore raised the point of order that a proposition to amend the constitution was not germane to the subject matter contained in House File No. 182.

Senator Price raised the point of order that Senator Whitmore was debating a point of order. The president held the point of order not well taken and held that Senator Whitmore was merely explaining the point of order which he had raised.

The president held the point of order raised by Senator Whitmore was not well taken.

Senator Holdoegel inquired as to the result of an affirmative vote on the motion to substitute Senate Joint Resolution No. 7 for House File No. 182 on the calendar, and as to what effect it would have on House File No. 182.

The president stated that if the motion to substitute prevailed, the consideration of House File No. 182 would not be in order until Senate Joint Resolution No. 7 was disposed of and that following such action on the joint resolution, House File No. 182 would be open for discussion on the motion to indefinitely postpone.

On the question, "Shall Senate Joint Resolution No. 7 be substituted on the calendar for House File No. 182, heretofore substituted for Senate File No. 166?" the vote was:

Ayes, 34.

Arney  
Balkema  
Ball  
Broxam  
Buser  
Byington  
Coburn  
Edwards  
Evans  
Fellows  
Foskett  
Fralley

Greenell  
Hale  
Haskell  
Horchem  
Kimball  
Kimberly  
LeCompte  
Mitchell  
Nelson  
Newberry  
Pitt

Proudfoot  
Rainbow  
Ratcliff  
Reed  
Rule  
Smith  
Stephenson  
Stoddard  
Thompson  
Whitmore  
Wilson

Nays, 13.

Adams  
Anderson  
Foster  
Holdoegel  
Kingland

Meredith  
Parker  
Price  
Schaffter

Scott  
Shane  
Taylor  
Van Alstine

Absent or not voting, 3.

Brookhart

Cessna

White

The motion prevailed.

Senator Price moved that the Senate adjourn until 1:30 p. m. today.

Motion lost.

Senator Holdoegel moved that House File No. 182 be made a special order for 1:30 p. m. today.

Senator Kimball raised the point of order that this motion virtually provided for adjournment which had already been voted down. The president sustained the point of order.

The second part of the motion by Senator Rule was taken up, proposing to indefinitely postpone House File No. 182.

Senator Whitmore invoked Rule 8.

On the question, "Shall House File No. 182 be indefinitely postponed?" the vote was:

Ayes, 31.

Adams  
Balkema  
Broxam  
Buser  
Byington  
Coburn  
Edwards  
Evans  
Foskett  
Fralley  
Greenell

Hale  
Haskell  
Holdoegel  
Kimball  
Kimberly  
LeCompte  
Mitchell  
Nelson  
Newberry  
Pitt

Proudfoot  
Rainbow  
Ratcliff  
Reed  
Rule  
Smith  
Stephenson  
Stoddard  
Thompson  
Wilson



## Nays, 17.

Anderson	Horchem	Scott
Arney	Kingland	Shane
Ball	Meredith	Taylor
Brookhart	Parker	Van Alstine
Fellows	Price	Whitmore
Foster	Schaffter	

Absent or not voting, 2.

Cessna	White
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The motion prevailed and House File 182 was indefinitely postponed.

On motion of Senator Rule, Senate Joint Resolution No. 7, 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, relating to the right of suffrage, was taken up and considered.

Senator Rule 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.

SENATE JOINT RESOLUTION NO. 7.  
BY RULE.

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 be, and the same is hereby proposed, to wit:

That Section One (1) of Article Two (2) of the constitution of the State of Iowa be repealed, and the following enacted in lieu thereof and adopted, to wit:

SECTION 1. Every citizen of the United States, of the age of Twenty One (21) years, who shall have been a resident of this state six (6)

months next preceding the election, and of the County in which he or she claims his or her vote, Sixty (60) days, shall be entitled to vote at all elections which are now or hereafter may be authorized by law.

*Resolved further*, that the foregoing proposed amendment be, and the same is hereby referred to the Legislature to be chosen at the next general election for members of the next General Assembly, and that the Secretary of State cause the same to be published for Three (3) months previous to the day of said election, as provided by law.

On the question, "Shall the joint resolution be adopted?" the vote was:

Ayes, 47.

Adams	Hale	Rainbow
Anderson	Haskell	Ratcliff
Arney	Holdcegel	Reed
Balkema	Horchem	Rule
Ball	Kimball	Schaffter
Brookhart	Kimberly	Scott
Broxam	Kingland	Shane
Buser	LeCompte	Smith
Byington	Meredith	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Nelson	Taylor
Fellows	Newberry	Thompson
Foskett	Parker	Van Alstine
Foster	Pitt	Whitmore
Fralley	Price	Wilson
Greenell	Proudfoot	

Nays, 1.

Evans

Absent or not voting, 2.

Cassna

White

The joint resolution having received a constitutional majority was declared to have been adopted by the Senate and its title was agreed to.

On motion of Senator Newberry, Senate adjourned until 1:30 p. m. today.

## AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

Senator Brookhart asked and obtained unanimous consent to file a motion to reconsider the vote by which the report of the committee was adopted, indefinitely postponing Senate File No. 77.

## JOINT RESOLUTION SIGNED BY THE GOVERNOR.

A communication was received from the governor saying that he had on March 8, 1919, approved and signed Senate Joint Resolution No. 6.

## THIRD READING OF BILLS.

On motion of Senator Adams, Senate File No. 266, a bill for an act to repeal section eighteen hundred sixty-seven (1867), chapter eleven (11), title IX, of the code, and as amended by section two (2), of chapter one hundred eighty-nine (189), of the Acts of the Thirty-seventh (37th) General Assembly, relating to reserves of State banks and to enact a substitute therefor, a committee bill, was taken up for consideration, and on request of Senator Adams, House File No. 296, a companion bill, was substituted therefor.

The bill was read for information.

By unanimous consent the following amendment was adopted:

Strike out the words "of Iowa" in line 3 of the title and in lines 2, 3, 8 and 14 of Section 1, also substitute the word "as" for the word "and" in line 8.

Senator Adams 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 vote was:

Ayes, 42.

Adams	Hale	Rainbow
Anderson	Haskell	Ratcliff
Arney	Holdoegel	Reed
Ball	Horchem	Rule
Brookhart	Kimball	Schaffter
Broxam	Kimberly	Shane
Buser	Kingland	Smith
Byington	LeCompte	Stephenson
Coburn	Meredith	Stoddard
Edwards	Mitchell	Thompson
Evans	Nelson	Van Alstine
Foskett	Newberry	White
Fralley	Parker	Whitmore
Greenell	Price	Wilson

Nays, none.

Absent or not voting, 8.

Balkema	Foster	Scott
Cessna	Pitt	Taylor
Fellows	Freudfoot	

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 Wilson, Senate File No. 68, a bill for an act to amend section fifteen hundred seventy-one-m1 (1571-m1) Supplement to the Code, 1913, relative to the definition of terms used in Title VIII Chapter 2-B Supplement to the Code, 1913, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson 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 vote was:

Ayes, 46.

Adams	Buser	Foster
Anderson	Byington	Fralley
Arney	Coburn	Greenell
Balkema	Edwards	Hale
Ball	Evans	Haskell
Brookhart	Fellows	Holdoegel
Broxam	Foskett	Horchem

Kimball	Proudfoot	Stephenson
Kimberly	Rainbow	Stoddard
LeCompte	Ratcliff	Taylor
Meredith	Reed	Thompson
Mitchell	Rule	Van Alstine
Nelson	Schaffter	White
Parker	Scott	Whitmore
Pitt	Shane	Wilson
Price		

Nays, none.

Absent or not voting, 4.

Cessna	Newberry	Smith
Kingland		

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Wilson moved to amend the title by striking out of line 2 the words "relative to the definition of terms" and inserting in lieu thereof the words "defining the term motor vehicles as".

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Ball, Senate File No. 87, a bill for an act to amend section seven hundred seventy (770) Code, 1897, relating to construction of viaducts over or under railroads, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ball 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 vote was:

Ayes, 44.

Anderson	Byington	Frailey
Arney	Coburn	Greenell
Balkema	Edwards	Hale
Ball	Evans	Haskell
Brookhart	Fellows	Horchem
Broxam	Foskett	Kimberly
Buser	Foster	LeCompte

Meredith	Rainbow	Stoddard
Mitchell	Ratcliff	Taylor
Nelson	Reed	Thompson
Newberry	Rule	Van Alstine
Parker	Schaffter	White
Pitt	Shane	Whitmore
Price	Smith	Wilson
Proudfoot	Stephenson	

Nays, none.

Absent or not voting, 6.

Adams	Holdoegel	Kingland
Cessna	Kimball	Scott

So the bill having received a constitutional majority was declared to have passed the Senate.

By unanimous consent, the words "of the" were inserted preceding the word "Code" in line 1 of the title, and the figures "1897," were struck out of the same line.

The title as amended was agreed to.

On motion of Senator Foster, Senate File No. 264, a bill for an act to authorize State banks, Savings banks, or Trust companies, incorporated under the laws of Iowa, to make and execute banks' acceptances of drafts and bills of exchange, and to accept such drafts or bills of exchange drawn upon said State bank, Savings bank or Trust company, having not more than six months' time to run exclusive of the days of grace, a committee bill, was taken up for consideration, and House File No. 294, a companion bill, was substituted therefor.

Senator Foskett offered the following amendment and moved its adoption:

I move to amend House File No. 294 by inserting after the word "acceptance" in line 19, the following:

"nor shall the total of bills accepted for and money borrowed by any one person, company, firm or corporation exceed in the aggregate more than twenty per centum of its paid up capital and surplus,"

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 46.

Adams	Hale	Ratcliff
Anderson	Haskell	Reed
Arney	Holdoegel	Rule
Balkema	Horchem	Schaffter
Ball	Kimberly	Scott
Brookhart	LeCompte	Shane
Broxam	Meredith	Smith
Buser	Mitchell	Stephenson
Byington	Nelson	Stoddard
Coburn	Newberry	Taylor
Edwards	Parker	Thompson
Evans	Pitt	Van Aistine
Fellows	Price	White
Foskett	Proudoot	Whitmore
Foster	Rainbow	Wilson
Frailey		

Nays, none.

Absent or not voting, 4.

Cassna	Kimball	Kingland
Greenell		

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 Broxam, Senate File No. 97, a bill for an act to amend the law as it appears in section Forty-nine hundred and seventy (4970) of the Code, relating to the transportation of live stock by common carriers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Broxam 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 vote was :

Ayes, 43.

Adams	Greenell	Reed
Anderson	Hale	Rule
Arney	Holdoegel	Schaffter
Balkema	Horchem	Scott
Ball	Kimball	Shane
Brookhart	Kimberly	Smith
Broxam	Mitchell	Stephenson
Buser	Nelson	Stoddard
Byington	Parker	Taylor
Coburn	Pitt	Thompson
Evans	Price	Van Alstine
Fellows	Proudfoot	White
Foskett	Rainbow	Whitmore
Foster	Ratcliff	Wilson
Frailey		

Nays, none.

Absent or not voting, 7.

Cessna	Kingland	Meredith
Edwards	LeCompte	Newberry
Haskell		

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 Schaffter, Senate File No. 207, a bill for an act to amend section One Thousand Two Hundred and Ninety-a (1290-a) Supplemental Supplement to the Code, 1915, fixing the compensation of appraisers for collateral inheritance tax, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted :

Amend by striking out the word "five" in the last line of the bill and inserting in lieu thereof the word "four".

Senator Schaffter 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 vote was :



•Ayes, 44.

Adams	Greenell	Ratcliff
Anderson	Haie	Reed
Arney	Haskell	Rule
Balkema	Holdoegel	Schaffter
Ball	Horchem	Scott
Brookhart	Kimball	Shane
Broxam	Kimberly	Smith
Buser	Meredith	Stephenson
Byington	Mitchell	Stoddard
Coburn	Nelson	Taylor
Edwards	Parker	Van Alstine
Fellows	Pitt	White
Foskett	Price	Whitmore
Foster	Proudfoot	Wilson
Frailey	Rainbow	

Nays, none.

Absent or not voting, 6.

Cessna	Kingland	Newberry
Evans	LeCompte	Thompson

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 Haskell, Senate File No. 214, a bill for an act to repeal sections seven hundred thirty seven-a (737-a) Supplement to the code, 1913, and to enact a substitute therefor empowering the State Board of Health to draft a code regulating the business of plumbing, requiring all cities and incorporated towns having sanitary sewerage systems or other systems of domestic sewage disposal, including cities acting under the commission form of government and special charter cities to regulate the business of plumbing; to make rules and regulations for the installation of same; to create a board of examiners of plumbers in cities and incorporated towns having a sanitary sewerage system or other system of domestic sewage disposal; to issue certificates, or licenses to persons, firms or corporations desiring to engage in the business of plumbing who are properly qualified; to provide for the removal of plumbing installed in violation of the manner prescribed and providing for punishment for a violation of the terms of this act, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out the words "and incorporated" in line nine and the words "towns" in line ten of the title. By striking out the words "and towns" in line one of section 2 (b), also by striking out the word "shall" in line three, all of lines four and five, up to and including "and" in line six of said section. Further amend said section by inserting the word "Journeyman" between the words "practical" and "plumber" in line eight and by striking out the words "competent city engineer" and inserting the words "practical master plumber" in line nine thereof.

Also further amend said section 2 (b) by adding thereto the following:

"Provided there is no resident Practical Journeyman Plumber or practical Master plumber the Council shall not be required to appoint a Board of Examiners but shall require each person engaged as a master plumber, journeyman plumber or employing plumber in such city or town, to have a license or certificate from some examining board within the state now showing the holder thereof to be qualified to work either as a master plumber, journeyman plumber or employing plumber."

Your sub-committee further recommends that section 2 (d) be amended by striking out the "." in line five and inserting a "," in lieu thereof and adding the following: "provided application for such license be made within 90 days after the taking effect this act."

Senator Evans offered the following amendment and moved its adoption:

I move to amend Senate File No. 214, by striking out the words "incorporated town" and the words "and towns" wherever the same appear in the bill.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 23.

Adams	Hale	Shane
Anderson	Kimberly	Smith
Arney	Meredith	Stephenson
Balkema	Newberry	Taylor
Ball	Price	Thompson
Broxam	Ratcliff	White
Evans	Schaffter	Wilson
Foster	Scott	

Nays, 19.

Byington	Haskell	Pitt
Coburn	Horchem	Rainbow
Edwards	Kimball	Reed
Fellows	Mitchell	Rule
Foskett	Nelson	Stoddard
Frailey	Parker	Whitmore
Greenell		

Absent or not voting, 8.

Brookhart	Holdoegel	Proudfoot
Buser	Kingland	Van Alstine
Cessna	LeCompte	

The amendment was adopted.

Senator Haskell 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 vote was:

Ayes, 23.

Broxam	Kimball	Scott
Coburn	Kimberly	Stephenson
Evans	Parker	Stoddard
Fralley	Pitt	Thompson
Greenell	Rainbow	White
Haskell	Reed	Whitmore
Holdoegel	Rule	Wilson
Horchem	Schaffter	

Nays, 23.

Adams	Edwards	Newberry
Anderson	Fellows	Proudfoot
Arney	Foskett	Ratcliff
Balkema	Hale	Shane
Ball	LeCompte	Smith
Brookhart	Meredith	Taylor
Buser	Mitchell	Van Alstine
Byington	Nelson	

Absent or not voting, 4.

Cessna	Kingland	Price
Foster		

So the bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Haskell, Senate File No. 297, a bill for an act to amend section four hundred sixty-nine (469) Supplement to the Code, 1913, relating to the compensation and mileage allowed to Boards of Supervisors, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking out the word "six" in the fourth line of section 1, and inserting in lieu thereof the word "five" and by striking out the word "six" in the sixth line thereof, and inserting in lieu thereof the word "five".

Senator Haskell 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 vote was:

Ayes, 44.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Broxam	Kimball	Scott
Buser	Kimberly	Shane
Byington	LeCompte	Stephenson
Coburn	Meredith	Stoddard
Edwards	Mitchell	Thompson
Evans	Neison	Van Alstine
Fellows	Newberry	White
Foskett	Parker	Whitmore
Foster	Pitt	Wilson
Fralley	Proudfoot	

Nays, 1.

Brookhart

Absent or not voting, 5.

Cessna	Price	Taylor
Kingland	Smith	

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 Whitmore, Senate File No. 340, a bill for an act to amend chapter forty-eight (48) of the acts of the Thirty-seventh General Assembly, relating to sewers under and pavement upon principal streets or highways leading into and out of cities, a committee bill, substitute for Senate File No. 200, was taken up and considered.

The bill was read for information.

Senator Whitmore 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 vote was:

Ayes, 42.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Balkema	Haskell	Reed
Ball	Horchem	Rule
Brookhart	Kimberly	Schaffter
Buser	LeCompte	Scott
Byington	Meredith	Shane
Coburn	Mitchell	Smith
Edwards	Nelson	Stephenson
Evans	Newberry	Stoddard
Fellows	Parker	Thompson
Foskett	Pitt	White
Foster	Price	Whitmore
Frailey	Proudfoot	Wilson

Nays, none.

Absent or not voting, 8.

Arney	Holdoegel	Taylor
Broxam	Kimball	Van Alstine
Cessna	Kingland	

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 Ratcliff, Senate File No. 309, a bill for an act to enable soldiers of the 168th Infantry, 42nd Division, U. S. Army, who have been invalided home to participate in the contemplated receptions to the said division, and such reviews and receptions upon return to United States by said Division, and to appropriate money therefor and provide for disbursement thereof, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by inserting in line two of the title after the word "home" the following: "or returned home by the government, and the commission herein appointed". Also by inserting after the word "army" in line

five of section one the following: "who at the time of their enlistment or induction into said regiment were residents of Iowa, or since their return have become residents of Iowa"; and after the word "government" in line six of section one the words "and the commission herein appointed", and after the word "as" in line nine of section one the words "shall be," and after the word "be" in line nine of section one the word "the". Also by inserting after the parenthesis in line two of section two the following words: "as designated in section one hereof"; also by inserting after the word "from" in the last line of section three the word "this"; also by inserting after the word "them" in line eight of section four the word "made".

Senator Ratcliff 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 vote was:

Ayes, 48.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Broxam	Kimberly	Shane
Buser	LeCompte	Smith
Byington	Meredith	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Nelson	Taylor
Evans	Newberry	Thompson
Fellows	Parker	Van Alstine
Foskett	Pitt	White
Foster	Price	Whitmore
Fralley	Proudfoot	Wilson

Nays, none.

Absent or not voting, 2.

Cessna                      Kingland

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

#### TELEGRAM FROM SECRETARY OF WAR BAKER.

Greatly appreciate honor done me by the Iowa legislature, but my stay in Des Moines is so short that it is impossible to rearrange my schedule to accept the invitation. Please express my deep regret.

NEWTON D. BAKER.

## INTRODUCTION OF BILLS.

By Senator Balkema, Senate File No. 380, a bill for an act to amend the law as it appears in section two thousand three hundred eighty-five (2385) of the code, relating to persons holding permits, and indicating to whom wines and intoxicating liquors may be sold.

Read first and second time and referred to committee on suppression of intemperance.

By Senator Wilson, Senate File No. 381, a bill for an act to amend section one (1) chapter one hundred ninety-one (191) Acts of the Thirty-Seventh General Assembly relating to soldiers and sailors and widows exemption.

Read first and second time and referred to committee on ways and means.

By Senator Foster, Senate File No. 382, a bill for an act repealing section two hundred twenty-four-m (224-m), supplemental supplement to the code, 1915, relating to salary of Supreme Court Reporter and assistance rendered in his office and enacting a substitute for said section.

Read first and second time and referred to committee on departmental affairs.

By Senator Evans, Senate File No. 383, a bill for an act to amend the law as it appears in section twenty-seven hundred forty-two (2742) relating to the compensation of county superintendents of schools.

Read first and second time and referred to committee on county and township affairs.

By Senator Foster, Senate File No. 384, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants for the town of Adel, Iowa.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Stoddard, Senate File No. 385, a bill, for an act relating to motor vehicle dealers' Number Plates, the Registration Thereof and Registration Fee.

Read first and second time and referred to committee on motor vehicles.

#### 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. 19, a bill for an act to repeal the law relating to the nomination and election of supreme, district and superior judges.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGE CONSIDERED.

House File No. 19, a bill for an act to repeal sections one thousand eighty-seven-b (1087-b), one thousand eighty-seven-b-one (1087-b-1), one thousand eighty-seven-b-two (1087-b2), one thousand eighty-seven-b-three (1087-b3), one thousand eighty-seven-b-four (1087-b4), one thousand eighty-seven-b-five (1087-b5), supplement to the code, 1913, and to enact a substitute therefor, relating to the nomination and election of judges of the supreme, district and superior courts.

Read first and second time and passed on file.

#### REPORT ON COMMITTEE CLERK.

Senator Schaffter presented the following report:

MR. PRESIDENT—Your committee to which was referred the matter of examining applicants for employment as stenographers, begs leave to report that it has examined and found proficient, Geraldine Shane, who has been assigned to Senator White, in place of Mayme Black, assigned to other duties. Appointment to date from March 8, 1919.

EUGENE SCHAFFTER, *Chairman.*

The report of the committee was adopted.



## JOHNSON MEMORIAL RESOLUTION.

Senator Broxam offered the following resolution:

*Whereas*, Honorable Gilman L. Johnson, a former member of the Iowa state Senate in the twentieth and twenty-first general assemblies, died at his home in Maquoketa, Iowa, on the 14th day of August, 1918.

*Therefore Be It Resolved*, that a committee of three be appointed by the president of the Senate to prepare and submit suitable resolutions to commemorate his life, character and services to the state.

By unanimous consent the resolution was taken up, considered and adopted.

The president appointed as such committee Senators Broxam, Parker and White.

## MOTIONS TO RECONSIDER FILED.

MR. PRESIDENT—Unanimous consent having been obtained, I now move that the vote by which Senate File No. 77 was indefinitely postponed, be reconsidered.

J. L. BROOKHART.

MR. PRESIDENT—I move to reconsider the vote by which House File No. 182 was indefinitely postponed.

P. C. HOLDOEGEL.

I move to reconsider the vote by which Senate File No. 214 failed to pass the Senate.

K. M. LeCOMPTE.

On motion of Senator Rule, Senate adjourned until 9:00 a. m., Wednesday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 12, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. A. F. Newell, pastor of the Congregational church of Sloan.

On motion of Senator Wilson, rule 33 was suspended for the day.

## PETITIONS AND MEMORIALS.

Senator Byington presented a petition of citizens of Victor favoring House File No. 122.

Referred to committee on schools.

Senator Greenell presented a petition of citizens of Clinton county favoring Senate File No. 296.

Referred to committee on schools.

Senator Horchem presented a remonstrance of citizens of Dubuque county against the amended Dean bill.

Referred to committee on schools.

Senator Balkema presented a remonstrances of citizens of Alton and Hospers against Dean bill.

Referred to committee on schools.

Senator Buser presented a remonstrance of citizens of Muscatine against bond issue for hard roads.

Referred to committee on highways.

Senator Brookhart presented a petition of citizens of Henry and Washington counties against bond issue for hard roads.

Referred to committee on highways.

Senator Anderson presented a petition of citizens of Carroll county against Dean bill, House File No. 6.

Referred to committee on schools.

#### INTRODUCTION OF BILLS.

By Senator Rule, Senate File No. 386, a bill for an act amending Section One (1) Chapter One Hundred Sixty Four (164) Acts of the Thirty Seventh General Assembly, relating to pensions of the survivors of the Northern Border Brigade.

Read first and second time and referred to committee on military affairs.

By Senator Frailey, Senate File No. 387, a bill for an act to amend the law as it appears in sub-division one (1) of section seventeen hundred nine (1709) Supplement to the Code, 1913, relating to insurance other than life.

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

By Senator Taylor, Senate File No. 388, a bill for an act to amend the law as it appears in section two hundred and fifty-four-a20 (254-a20) of the supplement to the code, 1913, relating to the amount of financial aid to be given to widowed mothers to properly care for their children.

Read first and second time and referred to committee on county and township affairs.

#### DAYLIGHT SAVING RESOLUTION.

Senator Ratcliff called up the following resolution, and moved its adoption:

*Be It Resolved by the Senate, the House concurring:*

*Whereas, the law of Congress, known as "The Daylight Savings Law" has proven detrimental to the interests of the people of Iowa, and the great agricultural interests of the State and there is an almost universal demand for the repeal of said law;*

*Be It Further Resolved*, That the senators and representatives from Iowa, in Congress at Washington, D. C., be requested and urged to use their influence and votes in order to secure the repeal of the said "Day-light Savings Law";

*Be It Further Resolved*, That a certified copy of this resolution be forwarded to the United States Senators and Representatives from Iowa.

Senator Thompson moved the previous question, which motion prevailed and the previous question was ordered.

On the question, "Shall the resolution be adopted?" the vote was:

Ayes, 32.

Balkema	Holdoegel	Reed
Ball	Kimball	Schaffter
Buser	Kingland	Scott
Byington	LeCompte	Shane
Cessna	Meredith	Smith
Coburn	Mitchell	Stephenson
Edwards	Nelson	Stoddard
Evans	Price	Taylor
Fellows	Proudfoot	Van Alstine
Foskett	Rainbow	Whitmore
Hale	Ratcliff	

Nays, 13.

Adams	Haskell	Rule
Anderson	Horchem	Thompson
Arney	Newberry	White
Broxam	Parker	Wilson
Fralley		

Absent or not voting, 5.

Brookhart	Greenell	Pitt
Foster	Kimberly	

The resolution was adopted.

#### MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House File No. 216, a bill for an act making appropriations for the completion of water works at the state hospital for the insane at Cherokee.

W. C. RAMSAY, *Chief Clerk*.

Also:

I am directed to 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 amend the law as it appears in section twenty-six hundred eighty-two-m (2682-m), supplement to the code, 1913, relating to the mileage paid to members of the Iowa State Board of Education.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 168, a bill for an act providing for the establishment of dental clinics for school children.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE AMENDMENT.

Amend Senate File No. 168, by striking out the words "attending such schools" in the fifth line of section one and substituting therefor the words "within the school district."

#### HOUSE MESSAGES CONSIDERED.

House File No. 216, a bill for an act making appropriations for the completion of water works at the State Hospital for the Insane at Cherokee.

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

House File No. 265, a bill for an act to amend the law as it appears in section twenty-six hundred eighty-two-m (2682-m), Supplement to the Code, 1913, relating to the mileage paid to members of the Iowa State Board of Education.

Read first and second time and ordered passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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, the following bills:

House File No. 25, a bill for an act to amend section twenty-three hundred and fifty-five (2355) of the code of Iowa, in relation to partition fences.

Also:

House File No. 84, a bill for an act to amend chapter three hundred forty-three (343), laws of the thirty-seventh general assembly, relating to levying of taxes.

Also:

House File No. 119, a bill for an act amending section thirty-one hundred four (3104) of the code, relative to the release of claims for labor and material used in the construction of public buildings and fixing the time within which action may be brought to enforce the same.

Also:

House File No. 130, a bill for an act to amend section eight hundred fifty-p (850-p), supplemental supplement to the code, nineteen hundred fifteen, extending the time for making tax levy for park purposes for improvement of lakes by dredging or otherwise deepening the same, constructing dikes and levees and changing the form and size thereof, improving such lakes and park lands surrounding the same and for other purposes.

Also:

House File No. 139, a bill for an act to amend section eight hundred and forty-a (840-a) of the supplement to the code, 1913, pertaining to sewers and certain statutes applicable to towns.

Also:

House File No. 295, a bill for an act to amend section one thousand eight hundred forty-five (1845), chapter ten (10), title IX, of the code, as amended by chapter two hundred thirty-eight (238) of the acts of the thirty-seventh (37th) general assembly, relating to number of directors of savings banks.

Also:

House File No. 302, a bill for an act to amend the law as it appears in section two thousand eight hundred thirty-one (2831), supplement to the code, 1913, and section two thousand eight hundred thirty-three (2833) of the code; and section one thousand seventy-two (1072), supplement to the code, 1913, pertaining to the election of a county board of education and defining their duties.

Also:

House File No. 189, a bill for an act to amend section two hundred fifty-four-a six (254-a6), supplement to the code, 1913, relating to trust funds of cemeteries in perpetual care.

Also:

House File No. 132, a bill for an act to amend section nineteen hundred eighty-nine-a thirty-seven (1989-a37) of the supplement to the code, 1913, as amended by chapter three hundred forty-four (344) of the acts of the thirty-seventh (37) general assembly and relating to the powers of joint drainage boards.

Also:

House File No. 209, a bill for an act to amend section four thousand six hundred sixty-one (4661) of the code, relating to witness fees.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

The report was adopted.

#### REPORTS OF COMMITTEES.

Senator Edwards, from the committee on county and township affairs, submitted the following report:

MR. PRESIDENT—Your committee on county and township affairs, to whom was referred Senate File No. 341, a bill for an act to amend Section Fifteen hundred thirty-three (1533) Supplement to the Code, 1915, relating to the cutting of weeds along public highways over which township Trustees and County Boards have jurisdiction, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs to whom was referred Senate File No. 328, a bill for an act to amend the law as it appears in section one thousand nine hundred eighty-nine-a nine (1989-a9), supplement to the Code, 1913, as amended by chapter two hundred sixty-four (264) Acts of the Thirty-seventh General Assembly, providing for keeping a record of drainage warrants, and for notifying holders thereof when

there are funds with which to pay such warrants, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Also:

Your committee on county and township affairs to whom was referred House File No. 53, a bill for an act to amend section four hundred twenty-three (423) of the Supplemental Supplement to the Code, 1915, relative to the expenditures for improvements by the county board of supervisors, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Senator Evans, from the committee on dairies and foods, submitted the following report:

MR. PRESIDENT—Your committee on dairies and food, to whom was referred Senate File No. 276, a bill for an act to amend the law as it appears in section three thousand nine-a (3009-a), supplement to the code, 1913, and section three thousand nine-n (3009-n), supplemental supplement to the code, 1915, and repealing section three thousand nine-j (3009-j), supplemental supplement to the code, 1915, and enacting a substitute therefor relating to weights and measures, 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.

By striking out Section One (1), and renumbering Sections Two (2) and Three (3) to appear as Sections One (1) and Two (2) respectively.

W. T. EVANS, *Chairman*.

Ordered passed on file.

Also:

Your committee on dairies and food to whom was referred Senate File No. 250, a bill for an act to amend the law as it appears in section two thousand five hundred twenty-seven-1 (2527-1) Supplement to the Code, 1913, relating to sanitation in food producing establishments and the licensing thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

W. T. EVANS, *Chairman*.

Ordered passed on file.

Senator Holdoegel, from the committee on departmental affairs, submitted the following report:



MR. PRESIDENT—Your committee on departmental affairs, to whom was referred Senate File No. 46, a bill for an act to amend section 280-c of the supplement to the code, 1913, and relating to the compensation of judges of the superior court in cities of 25,000 or over, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

P. C. HOLDOEGEL, *Chairman.*

On motion of Senator Holdoegel, the report of the committee was adopted and the bill indefinitely postponed.

Senator Taylor, 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. 195, by Taylor, a bill for an act to repeal section twenty-four hundred one-c (2401-c), supplement to the code, 1913, and enact a substitute therefor providing for the shipment of intoxicating liquors under the provisions of the wholesale drug act, and providing that said liquors shall be shipped separately from any other merchandise, and providing how said liquors shall be labeled when so shipped, beg leave to report they have had the same under consideration and recommend the same do pass.

T. E. TAYLOR, *Chairman.*

Ordered passed on file.

Also:

Your committee on suppression of intemperance, to whom was referred Senate File No. 275, by Evans, a bill for an act to repeal section 4960 and section 4961 of the code, relating to the sale of or gift of spirituous or other liquors or articles of merchandise at camp meetings and other places of religious worship, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

T. E. TAYLOR, *Chairman.*

On the question, "Shall the report of the committee be adopted?" the vote was:

Ayes, 22.

Arney	Haskell	Proudfoot
Balkema	Kimball	Ratcliff
Ball	Kingland	Reed
Cessna	Meredith	Schaffter
Coburn	Nelson	Shane
Fellows	Newberry	Taylor
Foskett	Parker	Whitmore
Poster		

## Nays, 25.

Adams	Greenell	Rule
Anderson	Hale	Scott
Brookhart	Horchem	Stephenson
Broxam	LeCompte	Stoddard
Buser	Mitchell	Thompson
Byington	Pitt	Van Alstine
Edwards	Price	White
Evans	Rainbow	Wilson
Fralley		

·Absent or not voting, 3.

Holdoegel	Kimberly	Smith
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The report of the committee was rejected and the bill ordered placed on the calendar.

## THIRD READING OF BILLS.

## SPECIAL ORDER.

The time having arrived for consideration of Special Order No. 16, on motion of Senator Evans, Senate File No. 53, a bill for an act to provide for perfecting, registering and transferring titles to real estate to be known as the "Torrens Land Title System," with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Evans offered the following amendment and moved its adoption:

I move that the following be substituted for the committee amendment to Senate File No. 53, found on page 753 of the journal:

"Sec. 100. This act shall not take effect in any county in the state of Iowa until declared effective by the board of supervisors after the proceedings provided for in this section. It is hereby made the duty of the board of supervisors in each county of the state, when requested so to do by a petition signed by at least five per cent of the freeholders of the county, to provide each registrar with the necessary books, supplies and stationery required by this act and to fix the bond required for each registrar. The board of supervisors shall canvass such petition, and upon finding that it contains at least five per cent of the freeholders of the county, the board of supervisors shall make such finding and enter the same of record and shall fix the bond of the registrar, and upon the filing and approval of the same the act shall be in force and effect in said county."

Senator Rule was called to the chair at 10:00 a. m.

Senator Balkema raised the point of order that the discussion was being made on the original bill instead of the pending amendment.

The point of order was held to be well taken.

Senator Brookhart offered the following amendment to the pending amendment and moved its adoption:

Strike out the word "five" in line 12 and insert in lieu thereof the word "ten".

On the question, "Shall the amendment to the amendment be adopted?" the vote was:

Ayes, 35.

Anderson	Hale	Rule
Arney	Haskell	Schaffter
Ball	Horchem	Scott
Brookhart	Kimball	Shane
Broxam	Kingland	Stephenson
Byington	Meredith	Stoddard
Edwards	Nelson	Taylor
Evans	Parker	Van Alstine
Fellows	Price	White
Foskett	Proudfoot	Whitmore
Fralley	Ratcliff	Wilson
Greenell	Reed	

Nays, 5.

Adams	Buser	Newberry
Balkema	Coburn	

Absent or not voting, 10.

Cesana	LeCompte	Rainbow
Foster	Mitchell	Smith
Holdoegel	Pitt	Thompson
Kimberly		

The amendment to the amendment was adopted.

The amendment offered by Senator Evans as a substitute for the committee amendments was adopted.

The following amendments proposed by Senator Evans were taken up for consideration:

I move to amend Senate File No. 53 as follows:

1st. By striking out the title thereto and substituting in lieu thereof the following:

"A bill for an act concerning land titles, providing for the perfecting, registration and transfer of the title to real estate, prescribing the manner in which registration of title may be obtained and the rights accruing thereunder providing for assurance of title and for indemnity and for penalties for the violation of any provisions of the law and to be known as the Torrens Land Title System."

2nd. By striking out the word "summons" wherever the same appears in section 18 of said bill and substituting in lieu thereof the words "Original Notice".

3rd. By striking out the word "issuing" in the eleventh line of section 18 of the bill and substituting in lieu thereof the word "ensuing".

4th. By striking out the period at the end of line four of section 19 and substituting in lieu thereof the words "in the following form".

5th. By striking out the word "thirty" in the eleventh line of section 24 and substituting in lieu thereof the word "sixty".

6th. By striking out all after the period in line twelve of section 24 and all of line thirteen of said section and all of line fourteen except the last word of said line fourteen.

7th. By striking out the words "writ of error" in the 33d line of section 24.

8th. By striking out the word "may" in the second line of section 23 and inserting the word "may" before the word "be" in the third line of said section.

9th. By striking out the words "one-tenth" in line seven of section 90 and inserting in lieu thereof the words and figures "one-twentieth (1-20)".

The amendments were adopted singly, each in turn.

Senator Price offered the following amendment and moved its adoption:

I move to amend section one hundred (100) of Senate File No. 53, by striking out the word "freeholders" in line seven (7) of said section and inserting in lieu thereof the following: "resident citizen freeholders of lawful age", and by inserting after the word "county" in line seven (7) the following: "provided that such petition shall be duly verified by the person circulating the same that the signatures on such petitions are genuine and of resident citizen freeholders of lawful age of said county."

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

I move to amend Senate File No. 53 by striking from section ninety thereof all that part after the word land in line 8 thereof and substituting therefor the following: "such value shall be double the value of the particular parcel under consideration, as shown by the last return of the assessor covering that particular tract".

The amendment was adopted.

Senator Evans 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 vote was:

Ayes, 32.

Adams	Evans	Mitchell
Anderson	Fellows	Nelson
Arney	Foskett	Newberry
Balkema	Greenell	Parker
Ball	Haskell	Ratcliff
Brookhart	Holdoegel	Reed
Buser	Horchem	Scott
Byington	Kimberly	Van Alstine
Cessna	Kingland	White
Coburn	LeCompte	Whitmore
Edwards	Meredith	

Nays, 14.

Foster	Proudfoot	Stoddard
Fralley	Rule	Taylor
Hale	Shane	Thompson
Pitt	Stephenson	Wilson
Price		

Absent or not voting, 4.

Broxam	Rainbow	Smith
Kimball		

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

President Moore resumed the chair at 11:25.

SENATE FILE RECALLED.

On motion of Senator Wilson the House was requested to return to the Senate, Senate File No. 97.

## BILLS SIGNED BY PRESIDENT.

The President announced that as president of the Senate in the presence of the Senate he had signed House Files Nos. 26, 84, 119, 130, 139, 295, 302, 189, 132 and 209.

## THIRD READING OF BILLS.

On motion of Senator Price, Senate File No. 3, a bill for an act to repeal sections one thousand eighty-seven-b (1087-b), one thousand eighty-seven-b-one (1087-b-1), one thousand eighty-seven-b-two (1087-b-2), one thousand eighty-seven-b-three (1087-b-3), one thousand eighty-seven-b-four (1087-b-4), one thousand eighty-seven-b-five (1087-b-5), supplement to the code, 1913, and to enact a substitute therefor, relating to the nomination and election of judges of the supreme, district and superior courts, reported back without recommendation, was taken up for consideration, and on motion of Senator Price, House File No. 19 a companion bill, was substituted therefor.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend the bill by striking out all after the enacting clause and substituting:

Sections 1, 2, 3, 4, 6, 8, 9, 10, 11, 12 and 13 of Senate File 279 by Kimball and numbering the same as sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12 and 13 respectively of the bill, and

Sections 2 and 3 of Senate File 244 by Whitmore and numbering said sections as sections 6 and 7 respectively of the bill.

Senator Proudfoot was called to the chair at 11:35.

President Moore resumed the chair at 11:50.

On motion of Senator Parker, Senate adjourned until 1:30 today.

## AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

Senate resumed consideration of House File No. 19.

Senator Whitmore offered the following amendment and moved its adoption:

I move to amend in section 3, line 13, by substituting "fifty (50)" for "two hundred (200)" and in line 18, same section, substitute "five hundred (500)" for "one thousand (1,000)".

The amendment was lost.

Senator Balkema moved that the Senate adjourn until 9 a. m. Thursday.

The motion was lost.

President pro tem Arney was called to the chair at 2:20.

President Moore resumed the chair at 3:10.

Senator Wilson moved the previous question, which motion prevailed and the previous question was ordered.

On the question, "Shall the amendment offered by Senator Kimball be adopted?" the vote was:

Ayes, 17.

Anderson	Greenell	Pitt
Broxam	Haskell	Rainbow
Coburn	Horchem	Stoddard
Edwards	Kimball	Thompson
Evans	Kimberly	White
Fralley	Kingland	

Nays, 32.

Adams	Hale	Reed
Arney	Holdoegel	Rule
Balkema	LeCompte	Schaffter
Ball	Meredith	Scott
Brookhart	Mitchell	Shane
Buser	Nelson	Smith
Byington	Newberry	Stephenson
Cessna	Parker	Van Alstine
Fellows	Price	Whitmore
Foskett	Proudfoot	Wilson
Foster	Ratcliff	

Absent or not voting, 1.

Taylor

The amendment was lost.

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

On the question, "Shall the bill pass?" the vote was:

## Ayes, 26.

Arney	Holdoegel	Ratcliff
Balkema	LeCompte	Reed
Ball	Meredith	Schaffter
Brookhart	Mitchell	Shane
Byington	Nelson	Smith
Fellows	Newberry	Van Alstine
Foskett	Parker	Whitmore
Foster	Price	Wilson
Hale	Proudfoot	

## Nays, 22.

Adams	Fralley	Rainbow
Anderson	Greenell	Rule
Broxam	Haskell	Scott
Buser	Horchem	Stephenson
Cessna	Kimberly	Stoddard
Coburn	Kingland	Thompson
Edwards	Pitt	White
Evans		

## Absent or not voting, 2.

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

Senator Kimball asked for a verification of the roll call.

Senator Wilson raised the point of order that the verification would be out of order the result of the vote having been announced.

The President held that the point was not well taken, the verification being for information only.

Senator Wilson moved that the vote by which House File No. 19 passed the Senate be reconsidered and that the motion be laid on the table.

Senator Evans raised the point of order that the motion of Senator Wilson was out of order as it contained two subjects in one.

The president held the point of order not well taken, the motion as made being in accord with well established precedence.

Senator Kimball asked unanimous consent to have Senator Adams and himself recorded as voting "aye."

Objection was made.



Senator Kimball then moved that Senator Adams and himself be allowed to vote "aye" and have their votes so recorded.

Senator Whitmore raised the point of order that this could not be done, since the vote had already been announced.

The president held the point of order well taken.

On the question, "Shall the vote be reconsidered and the motion to reconsider be laid on the table?" the vote was:

Ayes, 27.

Arney	Holdoegel	Proudfoot
Balkema	Kimball	Reed
Ball	LeCompte	Schaffter
Brookhart	Meredith	Scott
Byington	Mitchell	Shane
Fellows	Nelson	Smith
Foskett	Newberry	Van Alstine
Foster	Parker	Whitmore
Hale	Price	Wilson

Nays, 22.

Adams	Fralley	Rainbow
Anderson	Greenell	Ratcliff
Broxam	Haskell	Rule
Buser	Horchem	Stephenson
Cessna	Kimberly	Stoddard
Coburn	Kingland	Thompson
Edwards	Pitt	White
Evans		

Absent or not voting, 1.

Taylor

The motion prevailed.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined, and find correctly enrolled, Senate File No. 258, a bill for an act to legalize a certain election held in the independent school district of Missouri Valley, in the county of Harrison and state of Iowa, on the twelfth day of March, 1917, and to authorize and legalize bonds to be issued pursuant to such election and to authorize the expenditure of the funds for the purposes as proposed at said election.

Also:

Senate File No. 210, a bill for an act creating a commission of three persons to edit and codify the laws of the state; defining its powers and duties; providing for the editing of a book of annotations of the code by the code editor; providing for clerical assistance and for the publication and distribution of the code, report of commission, and book of annotations and making an appropriation for the expenses of said commission and such work.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 258, a bill for an act to legalize a certain election held in the independent school district of Missouri Valley, in the county of Harrison and state of Iowa, on the twelfth day of March, 1917, and to authorize and legalize bonds to be issued pursuant to such election and to authorize the expenditure of the funds for the purposes as proposed at said election.

Also:

Senate File No. 210, a bill for an act creating a commission of three persons to edit and codify the laws of the state; defining its powers and duties; providing for the editing of a book of annotations of the code by the code editor; providing for clerical assistance and for the publication and distribution of the code, report of commission, and book of annotations and making an appropriation for the expenses of said commission and such work.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

Senator Nelson offered the following resolution:

*Whereas*, Hon. T. H. Smith, a member of the 34th and 35th General Assembly is on the floor of the Senate,

*Therefore Be It Resolved*, that he be requested to address the Senate for a few minutes.

By unanimous consent the resolution was taken up, considered and adopted.

Senator Nelson was appointed to escort Senator Smith to the president's desk, and Senator Smith briefly addressed the Senate.

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate in the presence of the Senate, he had signed Senate Files Nos. 258 and 210.

#### MOTION TO RECONSIDER WITHDRAWN.

By unanimous consent Senator Ball withdrew the motion filed by him to reconsider the vote by which Senate File No. 111 passed the Senate.

#### SENATE FILE WITHDRAWN.

By unanimous consent Senator Price withdrew Senate File No. 3 from further consideration.

#### 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, as requested, Senate File No. 97, a bill for an act relating to the transportation of live stock by common carrier.

W. C. RAMSAY, *Chief Clerk.*

#### INTRODUCTION OF BILLS.

By Senator Buser, Senate File No. 389, a bill for an act creating a State Purchasing Committee with authority to advertise for, receive and accept bids for bridge lumber, paving brick, cement, reinforcing steel and culverts.

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

By committee on printing, Senate File No. 390, a bill for an act to repeal section fourteen hundred nineteen (1419) supplement to the Code, 1913, and enacting a substitute therefor, providing for the notice of sale of property for delinquent taxes and the publication of such notice.

Read first and second time and passed on file.

By Senator Horchem, Senate File No. 391, a bill for an act to amend Section one thousand three hundred seventy (1370), supplement to the code, 1913, relating to equalization of taxes by township trustees.

Read first and second time and referred to committee on ways and means.

By Senator Ratcliff, Senate File No. 392, a bill for an act to amend section forty-nine hundred thirteen-a (4913-a) of the supplement to the code, 1913, relating to the crime of bringing to state institutions or inmates drugs, liquors, weapons, explosives or articles aiding escape.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Ratcliff, Senate File No. 393, a bill for an act to amend Section One Thousand Seven Hundred Seventy-Three (1773) of the Code, relative to the Annual Statement of Life Insurance Companies.

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

By Senator Ratcliff, Senate File No. 394, a bill for an act to provide for the detention of inmates of the institution for feeble minded children and for their return in case they leave such institution in violation of the provisions of this act.

Read first and second time and referred to committee on board of control.

By Senator Byington, Senate File No. 395, a bill for an act to repeal the law as it appears in section twenty-five hundred seventy-five-a eleven (2575-a11), twenty-five hundred seventy-five-a twelve (2575-a12), twenty-five hundred seventy-five-a thirteen (2575-a13), twenty-five hundred seventy-five-a fourteen (2575-a14), twenty-five hundred seventy-five-a fifteen (2575-a15), twenty-five hundred seventy-five-a sixteen (2575-a16), twenty-five hundred seventy-five-a seventeen (2575-a17), twenty-five hundred seventy-five-a eighteen (2575-a18), and twenty-five hundred seventy-five-a nineteen (2575-a19) of the supplement to the code, 1913, relating to vital statistics.

Read first and second time and referred to committee on public health.

By Senator Anderson, Senate File 396, a bill for an act to amend

Section Eighteen Hundred Sixty-six (1866), Chapter (XI), Title Nine (IX) of the Code, relating to the number of Directors of State Banks.

Read first and second time and referred to committee on banks and banking.

#### REPORTS OF COMMITTEES.

Senator Edwards, from the committee on county and township affairs, submitted the following report:

MR. PRESIDENT—Your committee on county and township affairs, to whom was referred Senate File No. 398, a bill for an act to repeal section two hundred ninety-eight (298), supplemental supplement to the code, 1915, as amended by chapter seventy-seven (77) of the acts of the thirty-seventh general assembly; and section four hundred eighty-one (481), supplemental supplement to the code, 1915, as amended by chapter seventy-seven (77) of the acts of the thirty-seventh general assembly; and section four hundred ninety-one (491), supplemental supplement to the code, 1915, as amended by chapter seventy-seven (77) of the acts of the thirty-seventh general assembly; and section four hundred ninety-six (496), supplement to the code, 1913, as amended by chapter seventy-seven (77) of the acts of the 37th general assembly; and section 510-b, supplemental supplement to the code, 1915, and enacting substitutes therefor, relating to the appointment and compensation of deputy county officers, 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:

Amend by amending section 1, in the 17th line thereof, by striking out all after the word "office" and by inserting in lieu thereof the following: "He shall receive a salary of sixty-five per cent of that of his principal, and in case additional deputies and clerks are needed, the board of supervisors may make such allowance therefor as they may deem reasonable. Except that in counties having a population of 25,000 and over, or where district court is held in two places, the salary of the first deputy shall be sixty-five per cent and the salary of the second deputy shall be fifty per cent of that of their principal, and in counties having a population of 65,000 and over, the salary of the second deputy shall be sixty-five per cent and the salary of the third deputy fifty per cent of that of their principal".

Also amending section 2 by adding at the end thereof, the following: "Provided further that in counties having a population of 65,000 and over, the salary of the second deputy shall be sixty-five per cent and the salary of the third deputy fifty per cent of that of their principal."

Also amending section 3 by adding at the end thereof, the following: "Provided further that in counties having a population of 65,000 and over, the salary of the second deputy shall be sixty-five per cent and the salary of the third deputy fifty per cent of that of their principal."

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Also:

Your committee on county and township affairs, to whom was referred Senate File No. 211, a bill for an act to repeal the law as it appears in section three hundred and eight (308), supplement to the code, 1913, relating to compensation of county attorneys 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, and when so amended the bill do pass:

That the bill be amended in the second line of section 1 by inserting after the word "eight," the figures (308). Also in section 1, line 7, by striking out the words "twelve hundred" and inserting in lieu thereof the words "eleven hundred". Also in line 8 of section 1, by striking out the words "fifteen hundred" and inserting in lieu thereof the words "twelve hundred". Also in line 10 of section 1, by striking out the words "seventeen hundred fifty" and inserting in lieu thereof the words "fourteen hundred fifty". Also in line 13 of section 1, by striking out the words "twenty-two hundred fifty" and inserting in lieu thereof the words "nineteen hundred fifty". Also in line 15 of section 1, by striking out the words "twenty-five" and inserting in lieu thereof the words "twenty-two." Also in line 16 of section 1, by striking out the words "three thousand" and inserting in lieu thereof the words "twenty-seven hundred".

Also that section 2 be added as a publication clause.

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Senator Ball, from the committee on public health, submitted the following report:

MR. PRESIDENT—Your committee on public health, to whom was referred Senate File No. 293, by Parker, a bill for an act relating to the practice of drugless healing and to provide punishment for a violation thereof; to create a board of examiners and to provide for their compensation; the giving of examination and licensing of practitioners, beg leave to re-

port they have had the same under consideration and recommend the same be indefinitely postponed.

GEO. W. BALL, *Chairman.*

On motion of Senator Ball the report of the committee was adopted and the bill indefinitely postponed.

Senator Kimball, 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. 150, a bill for an act to amend the law as it appears in section thirteen hundred twenty-eight (1328), supplement to the code, 1913, relating to the tax of telephone companies, beg leave to report they have had the same under consideration and recommend the same do pass.

CLEM F. KIMBALL, *Chairman.*

Ordered passed on file.

Also:

Your committee on ways and means, to whom was referred Senate File No. 133, a bill for an act for the remission of taxes for any institution organized by private parties or under the terms of any will for the care and custody of public charges, 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:

By adding the word and figure "section 1" immediately after the enacting clause.

By striking out the word "satisfied" in the 10th line of section 1 of said bill and substituting in lieu thereof the word "found".

By striking out the period (.) at the end of the 17th line of section 1 and substitute a semicolon (;) and add the following: "Then the board of control shall certify their finding in said matter to the board of supervisors of the county in which such institution is situated and said board of supervisors shall be authorized and empowered to remit and discharge such tax levies on said property as they shall deem best; but the levies for road purposes and special assessments must be made."

CLEM F. KIMBALL, *Chairman.*

Ordered passed on file.

Also:

Your committee on ways and means, to whom was referred House File No. 165, a bill for an act to amend the law as it appears in paragraph three (3), section thirteen hundred and four (1304), code, 1897, re-

lating to the assessment of taxes, beg leave to report they have had the same under consideration and recommend the same do pass.

CLEM F. KIMBALL, *Chairman*.

Ordered passed on file.

Also:

Your committee on ways and means, to whom was referred Senate File No. 114, a bill for an act to amend section twenty-nine hundred eighty-five (2985) of the code, 1897, relating to descent and exemption of homesteads, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

CLEM F. KIMBALL, *Chairman*.

On motion of Senator Kimball the report of the committee was adopted and the bill indefinitely postponed.

Senator Stoddard, 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. 361, a bill for an act regulating the sale of shoes and requiring that shoes sold or offered for sale in this state shall be branded, and making it a misdemeanor to sell or offer for sale shoes that are not branded, 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:

Amend the title of Senate File No. 361 by inserting "other than leather and rubber goods," immediately following the word "shoes" in line one of the title.

B. M. STODDARD, *Chairman*.

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. 145, a bill for an act to amend the law as it appears in section 1565-a, Supplement to the Code, 1913, relating to the cutting of weeds, 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:

Your committee on highways, to whom was referred House File No. 14, a bill for an act to repeal the law as it appears in Sections 1570-d and 1570-e, Supplement to the code, 1913, relating to the rebate of the highway tax for the use of wide tired wagons, 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:

Your committee on highways, to whom was referred Senate File No. 19, a bill for an act to amend the law as it appears in section 403, supplement to the code, 1913, relating to the issuance of county bonds and limiting the indebtedness of counties for road purposes in anticipation of current revenues, 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 Foster, 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. 269, a bill for an act to amend section 1864 of the supplement to the code, 1913, relating to the paid up capital of state banks and trust companies, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN W. FOSTER, *Chairman.*

On motion of Senator Foster, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on banks and banking, to whom was referred Senate File No. 268, a bill for an act to amend section 1843 of the supplement to the code, 1913, relating to the paid up capital of savings banks, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN W. FOSTER, *Chairman.*

Report rejected and ordered passed on file.

Also:

Your committee on banks and banking, to whom was referred Senate File No. 263, a bill for an act to prohibit the receiving of commissions, etc., for organizing a bank or securing subscriptions to stock, beg leave to report they have had the same under consideration and recommend the passage of original bill.

JOHN W. FOSTER, *Chairman.*

Ordered passed on file.

Senator LeCompte, from the committee on printing, submitted the following report:

MR. PRESIDENT—Your committee on printing, to whom was referred House File No. 4, a bill for an act amending section four hundred forty-one (441), supplemental supplement to the code, 1915, as amended by chapter four hundred eight (408), acts of the thirty-seventh general assembly, relating to the publication of proceedings of boards of supervisors in foreign language newspapers, and repealing section five hundred forty-nine (549), supplement to the code, 1913, relating to the designation of newspapers for the publication of legal notices, and enacting a substitute therefor, and providing for the publication of legal notices and proceedings in the English language and in newspapers published in the English language, and the amendment to the same reported by judiciary committee No. 2, 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:

Insert as section 3 of the bill as amended, the following: "Nothing herein contained shall be construed to affect any pending litigation."

Re-number section 3 to section 4.

Amend the title of House File No. 4 by inserting after the words "foreign language newspapers" the following: "and in other newspapers; recognition of publishers' agreements and requests by boards of supervisors;".

When report of committee is adopted motion should include the report of the judiciary committee No. 2 found on page 718, Senate Journal. Senate amendment also is found on same page.

K. M. LeCOMPTE, *Chairman.*

Ordered passed on file.

#### BILLS SIGNED BY GOVERNOR.

A communication was received from the governor stating that he had on March 11th approved and signed Senate Files Nos. 96, 217, 163, 86 and 116.

## MOTION TO RECONSIDER FILED.

MR. PRESIDENT—I move to reconsider the vote by which Senate File No. 53 passed the Senate.

K. M. Lecompte.

I move to reconsider the vote by which Senate File No. 97 passed the Senate.

A. L. Broxam.

I move to reconsider the vote by which Senate File No. 97 passed to its third reading.

A. L. Broxam.

On motion of Senator Haskell, Senate adjourned until 9:00 a. m. Thursday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 13, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. J. G. Waterman, pastor of the M. E. church of Pocahontas.

On motion of Senator Stoddard, rule 33 was suspended for the day.

## PETITIONS AND MEMORIALS.

Senator Taylor presented a remonstrance of citizens of Worthington against House File No. 6 as amended.

Referred to committee on schools.

Senator Broxam presented a remonstrance of citizens of St. Donatus against House File No. 6 as amended.

Referred to committee on schools.

Senator Ball presented a remonstrance of citizens of Van Buren county against bond issue for hard roads.

Referred to committee on highways.

Senator Edwards presented a petition of citizens of Story county favoring hard roads.

Referred to committee on highways.

Senator Anderson presented a petition of Sac City D. A. R. Chapter favoring state banner.

Referred to committee on military.

Senator Scott presented a remonstrance of citizens of New Hampton against House File No. 6.

Referred to committee on schools.

Senator Price presented a remonstrance of citizens of Lacona and members of the St. Joseph's church of Bauer against House File No. 6.

Referred to committee on schools.

Senator Price presented a petition of Knoxville D. A. R. Chapter favoring state banner.

Referred to committee on military affairs.

#### INTRODUCTION OF BILLS.

By Senator Mitchell, Senate File No. 397, a bill for an act to amend section 4230 of the code, 1897, relating to boundaries.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Foster, Senate File No. 398, a bill for an act relating to the sales, or promoting of sales, of stocks, bonds or other securities by means of any artifice or fraud, and relating to promoting sales of same, by false advertisements, or false representation thru agents, or otherwise, or by fraudulently concealing material facts adversely affecting the value of said stock or securities so promoted, sold or offered for sale, and providing penalty therefor.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Taylor, Senate File No. 399, a bill for an act to repeal the law as it appears in section eight (8) of the acts and joint resolutions passed at the regular session of the Thirty-seventh General Assembly of the State of Iowa, 1917, and to enact a substitute in lieu thereof relative to the registration of births.

Read first and second time and referred to committee on public health.

By Senator Taylor, Senate File No. 400, a bill for an act to legalize certain acknowledgments and administrations of oath.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Parker, Senate File No. 401, a bill for an act to amend Section eight hundred forty-three (843) of the Code, relating to bonds issued to pay the cost of street improvements.

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

By Senator Parker, Senate File No. 402, a bill for an act to punish the making of any false entries upon the books of a corporation or other employer by any officer, agent or employe of such corporation or employer.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Parker, Senate File No. 403, a bill for an act relating to the investment of funds by insurance companies or associations, or fraternal beneficiary societies or associations.

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

By Senator Parker, Senate File No. 404, a bill for an act to amend Chapter 8-B of Title IX of the Supplement to the Code, 1913, as amended, relating to Consolidation, Reinsurance, Proportionate Representation, Licensing of Agents and Use of Proxies, by adding thereto after Section 1821-k thereof a provision of the issuance of a license to non-residents upon the filing of a bond.

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

By Senator Whitmore, Senate File No. 405, a bill for an act to amend section one (1), chapter one hundred ninety-one (191), Acts of the Thirty-seventh General Assembly, relating to exemptions from taxation of property of soldiers and sailors.

Read first and second time and referred to committee on ways and means.

By Senator Kingland, Senate File No. 406, a bill for an act fixing the maximum amount any candidate for office under the constitution or laws of this state or under the ordinance of any city or town may expend for his nomination and election, and providing penalties for the violation of this act.

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

#### SENATE RESOLUTION.

Senator Reed offered the following resolution:

*Whereas*, the Honorable Charles Pergler, a citizen of Iowa, and now the duly accredited Commissioner of the Czecko-Slovak Republic to the United States of America, is to be in Des Moines in his official capacity on March 14th,

*Now, therefore, Be It Resolved by the Senate*, that he be invited to address the Senate at eleven a. m. Friday morning, March 14th, and that the lieutenant governor be authorized to extend such invitation.

By unanimous consent the resolution was taken up, considered and adopted.

#### SENATE FILE NO. 97 RECONSIDERED.

Senator Broxam called up Senate File No. 97 and moved that the vote by which the bill passed the Senate be reconsidered.

On the question, "Shall the vote be reconsidered?" the vote was:

Ayes, 38.

Anderson  
Arney  
Balkema  
Ball  
Broxam  
Buser  
Byington  
Cassna  
Coburn  
Edwards  
Evans  
Foakett  
Foster

Greenell  
Hale  
Haskell  
Holdoegel  
Horchem  
Kingland  
LeCompte  
Meredith  
Mitchell  
Nelson  
Parker  
Price  
Rainbow

Ratcliff  
Reed  
Rule  
Schaffter  
Scott  
Shane  
Stephenson  
Stoddard  
Taylor  
Van Alstine  
White  
Whitmore

Nays, none.

Absent or not voting, 12.

Adams	Kimball	Proudfoot
Brookhart	Kimberly	Smith
Fellows	Newberry	Thompson
Frailey	Pitt	Wilson

The motion to reconsider prevailed.

Senator Broxam moved that the vote by which Senate File No. 97 passed to its third reading be reconsidered, which motion prevailed.

Senator Broxam moved that the bill be amended by the insertion of an enacting clause.

The motion prevailed and the amendment was adopted.

Senator Broxam 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 vote was:

Ayes, 39.

Anderson	Hale	Rainbow
Arney	Haskell	Ratcliff
Balkema	Holdoegel	Reed
Broxam	Horchem	Rule
Buser	Kimberly	Schaffter
Byington	Kingland	Scott
Cessna	LeCompte	Shane
Coburn	Meredith	Stephenson
Edwards	Mitchell	Stoddard
Evans	Nelson	Van Alstine
Foster	Parker	White
Frailey	Price	Whitmore
Greenell	Proudfoot	Wilson

Nays, none.

Absent or not voting, 11.

Adams	Foskett	Smith
Ball	Kimball	Taylor
Brookhart	Newberry	Thompson
Fellows	Pitt	



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 Mitchell, from the committee on horticulture, submitted the following report:

MR. PRESIDENT—Your committee on horticulture, to whom was referred Senate File No. 241, a bill for an act to fix standards for apples when packed in closed packages, and requiring such packages to be branded or labeled so as to show the grade, variety and size or number of the apples packed therein, and making it a misdemeanor to pack for sale, ship for sale, consign for sale or sell apples which are not graded, packed and labeled as provided in this act, beg leave to report they have had the same under consideration and recommend the same do pass.

E. E. MITCHELL, *Chairman.*

Ordered passed on file.

#### SPECIAL ORDERS.

On motion of Senator Schaffter, Senate File No. 124 was made a special order for Monday, March 17th, at 10:30 a. m.

On motion of Senator Whitmore, Senate File No. 308 was made a special order following consideration of Senate File No. 124.

Senator Kimball moved that Senate Files Nos. 124, 308 and 211 be made special orders for Wednesday, March 19th, at 11:00.

The motion prevailed.

#### LEAVE OF ABSENCE.

On request of Senator Stephenson, leave of absence was granted Senator Brookhart for the day.

#### EXPLANATION OF VOTE.

I vote "no" on Senate File No. 53, by Evans, known as the "Torrens Land Title System," for the same reason as given in the Senate Journal of the Thirty-seventh General Assembly and as found on page 1465 of the Journal of the Thirty-seventh General Assembly.

JNO. R. PRICE.

## 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 extends an invitation for the Senate to meet the House in informal session today, March 13, 1919, at 10:30 a. m., to hear the Pioneer Law Makers' Association.

W. C. RAMSAY, *Chief Clerk.*

Senator Parker moved that the Senate accept the invitation of the House for an informal meeting with it to hear the Pioneer Lawmakers, and that the House be advised of this acceptance.

The motion prevailed.

## THIRD READING OF BILLS.

On motion of Senator LeCompte, Senate File No. 95, a bill for an act to amend the law as it appears in section Five hundred eighty-six (586) Supplemental Supplement to the Code, 1913, relating to the powers and duties of Township Trustees with reference to cemeteries, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by inserting the figures 1915 in place of 1913 in line Three (3) of title following the word "Code". Also by inserting the figures 1915 in place of 1913 in line Three (3) of the bill.

Senator LeCompte 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 vote was:

Ayes, 45.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Broxam  
Buser  
Byington  
Cassna  
Coburn  
Edwards  
Evans

Foskett  
Fralley  
Greenell  
Hsie  
Haskell  
Holdsogel  
Kimball  
Kimberly  
Kingland  
LeCompte  
Meredith  
Mitchell

Nelson  
Newberry  
Parker  
Pitt  
Price  
Proudfoot  
Ralubow  
Ratcliff  
Reed  
Rule  
Schaffter  
Scott

Shane  
Stephenson  
Stoddard

Thompson  
Van Alstine  
White

Whitmore  
Wilson

Nays, none.

Absent or not voting, 5.

Brookhart  
Fellows

Horchem  
Smith

Taylor

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 Cessna, House File No. 65, a bill for an act to amend Chapter Three Hundred thirty-two (332) of the acts of the Thirty-seventh General Assembly relating to the purchase of real estate for county purposes, with report of committee recommendng passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 39.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Broxam  
Buser  
Byington  
Cessna  
Coburn  
Edwards  
Evans  
Foskett

Foster  
Fralley  
Greenell  
Hale  
Haskell  
Holdoegel  
Horchem  
Kimball  
Kimberly  
Meredith  
Mitchell  
Newberry  
Parker

Pitt  
Proudfoot  
Rainbow  
Ratcliff  
Reed  
Rule  
Schaffter  
Scott  
Shane  
Stephenson  
Stoddard  
Whitmore  
Wilson

Nays, 2.

Kingland

Nelson

Absent or not voting, 9.

Brookhart  
Fellows  
LeCompte

Price  
Smith  
Taylor

Thompson  
Van Alstine  
White

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 Parker, House File No. 88, a bill for an act conferring upon cities and towns the authority to adopt a budget system, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Further consideration of House File No. 88 was postponed, and the Senate proceeded to the House Chamber to attend an informal meeting in honor of the Pioneer Lawmakers' Association.

Senate returned and resumed session.

#### INTRODUCTION OF BILLS.

By committee on departmental affairs, Senate File No. 407, a bill for an act amending chapter 2-B, Title VIII, Supplement to the Code, 1913, as amended, relating to the registration of motor vehicles and transferring the duties pertaining thereto from the office of the secretary of state to the treasurer of state.

Read first and second time and passed on file.

#### SPECIAL ORDER.

On motion of Senator Price, further consideration of House File No. 88 was made a special order for 1:30 p. m. today.

#### THIRD READING OF BILLS.

On motion of Senator Holdoegel, Senate File No. 407, a bill for an act amending chapter 2-B, Title VIII, Supplement to the Code, 1913, as amended, relating to the registration of motor vehicles and transferring the duties pertaining thereto from the office of the secretary of state to the treasurer of state, a committee bill, was taken up for consideration.

On request of Senator Holdoegel, by unanimous consent, the rule was suspended whereby no bill may be read a second and third time the same day.

The bill was read for information.

Senator Holdoegel 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 vote was:

Ayes, 40.

Adams	Greenell	Price
Anderson	Hale	Proudfoot
Arney	Haskell	Rainbow
Balkema	Holdoegel	Ratcliff
Ball	Kimberly	Rule
Broxam	Kingland	Schaffter
Buser	LeCompte	Scott
Byington	Meredith	Smith
Cessna	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Newberry	Taylor
Evans	Parker	Whitmore
Fellows	Pitt	Wilson
Foster		

Nays, none.

Absent or not voting, 10.

Brookhart	Kimball	Thompson
Foskett	Feed	Van Alstine
Fralley	Shane	White
Horchem		

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 Edwards, Senate adjourned until 1:00 p. m. today.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

On motion of Senator Wilson, Senate adjourned to meet at 1:30 p. m.

Senate reconvened.

#### INTRODUCTION OF BILLS.

By Senator Frailey, Senate File No. 408, a bill for an act to repeal Chapter three hundred forty-three, (343), of the Acts of the Thirty-Seventh General Assembly relating to the method of

estimating and determining the rate of tax required to be levied for any purpose authorized by law, and requiring such rate to be computed upon the adjusted taxable valuation for the preceding calendar year, and requiring the certification of the amount of the required tax in dollars and not by rate.

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

By Committee on insurance, Senate File No. 409, a bill for an act relating to the regulation of insurance companies and associations, and authorizing the commissioner of insurance to act as receiver for delinquent or insolvent insurance companies and associations.

Read first and second time and passed on file.

By Senator Foster, Senate File No. 410, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants of the Town of Panora, in Guthrie County, Iowa.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Van Alstine, Senate File No. 411, a bill for an act to amend Section Twenty Five Hundred Forty (2540) Supplement to the Code, 1913, relating to fishing and prohibiting the use of the trot line.

Read first and second time and referred to committee on fish and game.

By Senator Van Alstine, Senate File No. 412, a bill for an act to limit the time within which a surviving spouse may elect not to take under the provisions of a will.

Read first and second time and referred to committee on land titles.

By Senator Van Alstine, Senate File No. 413, a bill for an act to amend Title Twelve (12) Chapter Fifteen (15) of Supplement to the Code, 1913, relative to fish and game and providing for issue of hunting and fishing license.

Read first and second time and referred to committee on fish and game,

By Senator Arney, Senate File No. 414, a bill for an act to amend the law as it appears in Section seven hundred (700), Supplement to the Code, 1913, relating to the general powers of cities and towns, and providing for the licensing and regulating of persons, firms and corporations, engaged in the business of painting.

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

By Senator Smith, Senate File No. 415, a bill for an act amending part four (4) of Section thirteen hundred four (1304) of the supplement to the Code, 1913, regarding exemption from taxation by reason of age or infirmity.

Read first and second time and referred to committee on ways and means.

By Senator Stoddard, Senate File No. 416, a bill for an act to provide for the appointment of a special county auditor by the board of supervisors in counties with a population of more than forty thousand (40,000), subject to the approval of the state auditor and prescribing the duties of the said special auditor and fixing the salary thereof.

Read first and second time and referred to committee on county and township affairs.

By Senator Kimball, Senate File No. 417, a bill for an act to amend section eighteen hundred and seventy (1870), Supplemental Supplement to the Code, 1915, and relating to liabilities of banks.

Read first and second time and referred to committee on banks and banking.

By Senator Kimball, Senate File No. 418, a bill for an act to amend section thirty-three hundred and seven (3307), Supplement to the Code, 1913, and relating to estates of absentees.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Scott, Senate File No. 419, a bill for an act to amend Section Two Thousand Five Hundred Seventy One-a (2571-a) Supplement to the Code, 1913, relating to the quarantine of infectious and contagious diseases.

Read first and second time and referred to committee on public health.

Senate resumed consideration of House File 88.

Senator White moved the previous question, which motion prevailed, and the previous question was ordered.

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

Senator Ball invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 22.

Anderson	Hale	Parker
Arney	Holdoegel	Price
Balkema	Kimball	Rainbow
Broxam	Kingland	Scott
Coburn	LeCompte	Shane
Evans	Meredith	Taylor
Foster	Nelson	Wilson
Fralley		

Nays, 22.

Adams	Greenell	Rule
Ball	Haskell	Schaffter
Buser	Horchem	Stephenson
Byington	Kimberly	Stoddard
Cassara	Mitchell	Van Alstine
Edwards	Newberry	White
Fellows	Proudfoot	Whitmore
Foskett		

Absent or not voting, 6.

Brookhart	Ratcliff	Smith
Pitt	Keed	Thompson



So the bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Arney, Senate File No. 132, a bill for an act relating to rules of admission to the Iowa Soldiers' Home, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Arney offered the following amendment as a substitute for the committee amendment and moved its adoption:

I move to amend Senate File No. 132 by striking out all after the enacting clause and inserting in lieu thereof:

SECTION 1. That section Two thousand six hundred six (2606) Supplemental Supplement to the Code, 1915, be amended by striking from line nine (9) thereof the following words and figures "eighteen hundred ninety-five (1895)" and inserting in lieu thereof the following words and figures "nineteen hundred five (1905)".

Further amend said bill by substituting the following as the title thereof:

A bill for an act to amend section two thousand six hundred six (2606) Supplemental Supplement to the Code, 1915, relating to rules of admission to the Iowa Soldiers' Home.

The amendment was adopted.

Senator Arney 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 vote was:

Ayes, 43.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Buser  
Byington  
Coburn  
Edwards  
Evans  
Fellows  
Foskett  
Foster  
Fralley  
Greenell

Hale  
Haskell  
Holdoegel  
Horchem  
Kimball  
Kimberly  
Kingland  
LeCompte  
Meredith  
Mitchell  
Nelson  
Parker  
Price  
Proudfoot

Rainbow  
Ratcliff  
Reed  
Rule  
Schaffter  
Scott  
Shane  
Stephenson  
Stoddard  
Taylor  
Van Alstine  
White  
Whitmore  
Wilson

Nays, none.

Absent or not voting, 7.

Brookhart  
Eroxam  
Cessna

Newberry  
Pitt

Smith  
Thompson

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 Ratcliff, Senate File No. 160, a bill for an act amending section two thousand seven hundred twenty-seven-3a (2727-3a), Supplement to the Code of Iowa, 1913, relative to the salary of the chief executive officer of the Institution for Feeble Minded children at Glenwood, with report of committee recommending amendments and passage, was taken up for consideration, and on request of Senator Ratcliff, House File No. 187, a companion bill, was substituted therefor.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 40.

Adams  
Anderson  
Arney  
Ball  
Buser  
Byington  
Coburn  
Edwards  
Evans  
Fellows  
Foskett  
Fralley  
Greenell  
Hale

Haskell  
Holdoegel  
Horchem  
Kimball  
Kimberly  
LeCompte  
Meredith  
Nelson  
Newberry  
Parker  
Price  
Proudfoot  
Rainbow

Ratcliff  
Reed  
Rule  
Schaffter  
Scott  
Shane  
Stephenson  
Stoddard  
Taylor  
Van Alstine  
White  
Whitmore  
Wilson

Nays, none.

Absent or not voting, 10.

Balkema  
Brookhart  
Broxam  
Cessna

Foster  
Kingland  
Mitchell

Pitt  
Smith  
Thompson

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 Haskell, Senate File No. 208, a bill for an act to provide free hospital service and medical and surgical treatment for persons who are afflicted with a malady or deformity which can probably be remedied by such service and treatment, and who are unable to pay for the same; providing for the expense thereof; and prescribing the jurisdiction of the district and superior courts in said cases, with report of committee recommending passage, was taken up for consideration and on request of Senator Haskell, House File No. 232, a companion bill, was substituted therefor.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 42.

Adams	Hale	Proudfoot
Anderson	Haskell	Rainbow
Arney	Holdoegel	Ratcliff
Balkema	Horchem	Reed
Ball	Kimball	Rule
Buser	Kimberly	Schaffter
Byington	Kingland	Scott
Cessna	LeCompte	Shane
Coburn	Meredith	Stephenson
Edwards	Mitchell	Stoddard
Fellows	Nelson	Taylor
Foskett	Newberry	Van Alstine
Fralley	Parker	White
Greenell	Price	Wilson

Nays, none.

Absent or not voting, 8.

Brookhart	Foster	Thompson
Broxam	Pitt	Whitmore
Evans	Smith	

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 Foskett, Senate File No. 233, a bill for an act to amend the law as it appears in section twenty-six nun-

dred eighty-two-m (2682-m), Supplement to the Code, 1913, relating to the mileage paid to members of the Iowa State Board of Education, with report of committee recommending passage, was taken up for consideration and on request of Senator Foskett, House File No. 265 was substituted therefor.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 42.

Adams	Frailey	Price
Anderson	Greenell	Proudfoot
Arney	Hale	Rainbow
Balkema	Haskell	Ratcliff
Ball	Holdoegel	Reed
Broxam	Horchem	Rule
Buser	Kimball	Schaffter
Byington	Kimberly	Scott
Cessna	Kingland	Stephenson
Coburn	Meredith	Stoddard
Edwards	Mitchell	Taylor
Evans	Nelson	Van Alstine
Fellows	Newberry	White
Foskett	Parker	Wilson

Nays, none.

Absent or not voting, 8.

Brookhart	Pitt	Thompson
Foster	Shane	Whitmore
LeCompte	Smith	

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

#### SENATE FILES WITHDRAWN.

By unanimous consent, Senator Haskell withdrew Senate File No. 208 from further consideration.

By unanimous consent, Senator Ratcliff withdrew Senate File No. 160 from further consideration.

By unanimous consent, Senator Kimball withdrew Senate File No. 279 from further consideration.

By unanimous consent, Senator Whitmore withdrew Senate File No. 244 from further consideration.

#### SPECIAL ORDER.

On motion of Senator Kimball, Senate File No. 73 was made a special order for Wednesday, March 18th, at 11:00 a. m

#### VOTE ON SENATE FILE NO. 53 TABLED.

Senator Evans moved that the vote by which Senate File No. 53 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### VOTE ON SENATE FILE NO. 407 TABLED.

Senator Holdoegel moved that the vote by which Senate File No. 407 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### THIRD READING OF BILLS

On motion of Senator Parker, Senate File No. 248, a bill for an act to authorize and empower the executive council to lease the right to mine the coal from under all that portion of the present state fair ground lying east of a line running north and south two hundred (200) feet, east of the present poultry buildings, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ball offered the following amendment and moved its adoption:

Amend Senate File No. 248 by striking out the words "executive council" found in line 1 of Section 1 and line 1 of Section 3 and inserting in lieu thereof the words "State Board of Control".

The amendment was adopted.

Senator Parker 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 vote was:

Ayes, 36.

Adams	Foskett	Parker
Anderson	Fralley	Price
Arney	Greenell	Rainbow
Balkema	Hale	Reed
Ball	Haskell	Rule
Broxam	Holdoegel	Schaffter
Buser	Horchem	Scott
Byington	Kimberly	Stephenson
Cessna	LeCompte	Stoddard
Coburn	Meredith	Van Alstine
Evans	Mitchell	White
Fellows	Neison	Wilson

Nays, 3.

Edwards	Ratcliff	Taylor
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Absent or not voting, 11.

Brookhart	Newberry	Smith
Foster	Pitt	Thompson
Kimball	Proudfoot	Whitmore
Kingland	Shane	

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Parker offered the following amendment to the title and moved its adoption:

Strike out the words "executive council" in line 1 and insert in lieu thereof the words "state board of control".

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Meredith, Senate File No. 278, a bill for an act to amend the law as it appears in chapter three hundred sixty-three (363), acts of the thirty-seventh (37th) General Assembly, relating to aid for poultry associations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ratcliff offered the following amendment and moved its adoption:

I move to amend Senate File No. 278 by striking out all of section one after the word "annually" in line five thereof, and all of Section 2 after the word "annually" in line 5 thereof, and by inserting a period (.) after the said word "annually" in each section.

The amendment was lost.

Senator Meredith 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 vote was:

Ayes, 43.

Adams	Hale	Proudfoot
Anderson	Haskell	Rainbow
Arney	Holdoegel	Ratcliff
Balkema	Horchem	Reed
Ball	Kimball	Rule
Broxam	Kimberly	Schaffter
Buser	Kingland	Scott
Byington	LeCompte	Stephenson
Coburn	Meredith	Stoddard
Edwards	Mitchell	Taylor
Evans	Neison	Van Alstine
Fellows	Newberry	White
Foskett	Parker	Whitmore
Fralley	Price	Wilson
Greenell		

Nays, none.

Absent or not voting, 7.

Brookhart	Pitt	Smith
Cesana	Shane	Thompson
Foster		

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 Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred Senate File No. 316, a bill for an act to amend the law as it appears in chapter 26, section 1, acts of the 37th general assembly, relating to the acquisition of school house sites, 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:

By changing the word "for" in line 19 after the word "purchase" to "of"; also by striking from line 21 after the code the words and figures "of Iowa 1897" and inserting before the word "code" the words "of the" and that section 2 thereof be amended by changing the period in line 5

after the word "Iowa" to a comma and adding the words "without expense to the state".

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Also:

Your committee on public schools, to whom was referred Senate File No. 315, a bill for an act to encourage the establishment and maintenance, in cities having a population of twenty thousand or more, of educational and sociological activities organized for the purpose of providing agricultural training work and recreation in wholesome localities for school children of the said cities to cooperate with such enterprise, and to provide the conditions, etc., beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Senator Holdoegel, from the committee on departmental affairs, submitted the following report:

MR. PRESIDENT—Your committee on departmental affairs, to whom was referred Senate File No. 178, a bill for an act to amend the law as it appears in section two thousand five hundred fifteen (2515) of the supplemental supplement to the code, 1915, and relating to the appointment of a dairy and food commissioner, a deputy dairy and food commissioner, a state dairy inspector, assistants, a chemist, and a bacteriologist and assistant chemist, define the power and duties of such officers and fix their compensation; and to amend the law as it appears in section two thousand five hundred fifteen-g (2515-g) of the supplement to the code, 1913, relating to penalties for violating the dairy laws enforced by the dairy and food commissioner; and to amend section two thousand five hundred twenty-two (2522) of the supplement to the code, 1913, relating to making reports by manufacturers of certain dairy products; and to amend section two thousand five hundred twenty-four (2524) of the code relating to salaries of milk inspectors in certain cities; and to amend chapter thirteen (13) of the code by adding thereto a section relating to the registration and use of marks or brands on containers used for handling skimmed-milk, butter-milk, milk, cream and ice cream, also a section relating to the use of the words "butter", "creamery" and "dairy" on substitutes for butter and advertising material pertaining thereto; and to repeal the law as it appears in sections two thousand five hundred fifteen-b (2515-b) and two thousand five hundred fifteen-c (2515-c) of the supplement to the code, 1913, and section two thousand five hundred fifteen-d supplement to the code, 1913, as amended by chapter three hundred seventy-seven (377), section one (1), acts of the thirty-seventh general assembly, and to enact substitutes therefor relating to the sale of imitation evaporated milk, imitation ice cream, skimmed milk, milk, cream and other



dairy products, 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 all after the enacting clause, and substitute therefor the following:

SECTION 1. That the law as it appears in section twenty-five hundred fifteen (2515), supplemental supplement to the code, 1915, be and the same is hereby amended by striking out of line eleven thereof the words "of each even-numbered year" and inserting in lieu thereof the words "nineteen hundred twenty"; by striking out of line fourteen thereof the words "hold his office for two" and inserting in lieu thereof the words "who shall hold his office for a term of four"; by inserting after the word "shall" in line forty-three thereof the following: "devote all their time to their duties and shall"; by striking out of line fifty-one thereof the word "shall" and inserting in lieu thereof the word "may"; by striking out of lines fifty-five and fifty-six thereof after the comma (,) where it appears following the word "year" in line fifty-five the words "to be paid in the same manner as the salaries of other state officers. He" and inserting in lieu thereof the following: "and a bacteriologist and assistant chemist at a salary to be hereafter fixed by the General Assembly. The state chemist and the bacteriologist and assistant chemist"; and by inserting after the period (.) where it appears following the word "assistants" in line sixty-one thereof the following: "The commissioner, the deputy commissioner, the state dairy inspector, the assistants, the chemist and the bacteriologist and assistant chemist shall be paid in the same manner as the salaries of other state officers".

SEC. 2. That the law as it appears in sections two thousand five hundred fifteen-b (2515-b), two thousand five hundred fifteen-c (2515-c), and two thousand five hundred fifteen-d (2515-d), supplement to the code, 1913, as amended by chapter 377, acts of the Thirty-seventh General Assembly, be and the same are hereby repealed and the following enacted in lieu thereof:

No person shall sell, exchange or expose for sale or exchange or deliver or bring to another for domestic or potable use or to be converted into any product of human food, any adulterated, or misbranded milk, cream or skimmed milk, and no person shall purchase any such substance to be converted into any human food product or manufacture the same into food product, nor shall any persons offer or expose for sale or have in his possession with intent to sell or sell any skimmed milk unless each receptacle and carrying can containing the same shall be kept plainly marked on the side thereof with the words "Skimmed Milk" in the English language in plain letters not less than one inch in height, provided that skimmed milk sold in bottles shall be deemed to be properly marked if the cap shall be plainly printed with the words "Skimmed Milk" in letters not smaller than twelve-point Gothic caps.

For the purpose of this act, milk is the fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, properly

fed and kept. For the purpose of this act, cream is the portion of milk, rich in milk fat, which rises to the surface of milk on standing, or is separated from it by centrifugal force, is fresh and clean. For the purpose of this act, skimmed milk is the portion of milk, poor in fat, from which the cream has been removed. The term "skimmed milk" shall also include the fresh, clean, lacteal secretion of one or more healthy cows and containing less than three per cent (3%) of milk fat or less than eleven and one-half per cent (11½%) of milk solids.

For the purpose of this act, milk, cream and skimmed milk shall be deemed to be adulterated:

In case of milk, cream and skimmed milk:

First. If water or any other substance has been added.

Second. If it contains any visible dirt or be contained in any container which is not clean.

Third. If it be obtained from any animal having disease, sickness, ulcer, abscess or running sore or which has been obtained from a cow within fifteen days before or five days after calving.

Fourth. If it be obtained from a cow stabled in an unhealthful place or fed upon any substance in a state of putrefaction or of an unhealthful nature.

In the case of milk:

If it contains less than three per cent (3%) of milk-fat or less than eleven and one-half per cent (11½%) of milk solids.

In the case of cream:

If it contains less than sixteen per cent (16%) of milk-fat.

For the purpose of this act, milk, cream and skimmed milk shall be deemed to be misbranded:

If it be labeled or branded so as to deceive or mislead the purchaser or if the package bears any statement, design or device which is false or misleading in any particular.

For the purpose of this act, cheese is the sound, ripened product made from milk or cream by coagulating the casein with rennet or lactic acid with or without the addition of ripening ferments, seasonings and color, and contains not less than thirty per cent (30%) of milk-fat. For the purpose of this act, skimmed milk cheese is the sound and ripened product made from skimmed milk as defined in this chapter, by coagulating the casein thereof with rennet or lactic acid, with or without the addition of ripening ferments, seasoning, and color and containing less than thirty per cent (30%) of milk-fat. No person shall offer or expose for sale any skimmed milk cheese without the same being plainly and durably branded or marked on the side or top of both cheese and package in the English language with the words "Skimmed Milk Cheese" in letters to be not less than one inch in height and one-half inch in width.

Every article, substitute or compound, save that produced from pure milk of cows and containing no added substance, made in the semblance of or designed to be used for or in the place of evaporated milk, is hereby declared "Imitation Evaporated Milk" and every article, substitute or compound, containing any fat other than the milk-fat of milk cows, made in the semblance of or designed to be used for or in the place of ice cream, is hereby declared "Imitation Ice Cream". No person, firm or corporation shall manufacture, have in his possession, offer to sell, or sell, solicit or take orders for delivery or ship any such imitation evaporated milk or imitation ice cream, except in the manner and subject to the regulations provided in this section.

Imitation evaporated milk and imitation ice cream may be manufactured, kept in possession, offered for sale, or sold, if each can, tub, box, or other package in which same is kept, offered for sale or shipped shall have plainly branded on the side or top thereof in the English language in a durable manner, the words "Imitation Evaporated Milk" or "Imitation Ice Cream" as the case may be. The letters of the words to be not less than one inch in height and one-half inch in width. Provided, however, that on packages containing less than twenty ounces net of imitation evaporated milk the words "Imitation Evaporated Milk" may appear plainly printed on the principal label of the package in type not less than one-fourth inch in height and one-eighth inch in width. Imitation evaporated milk and imitation ice cream may be kept, used or served only in case the proprietor or person in charge of the place in which such imitation evaporated milk or imitation ice cream is used or served, shall display and keep constantly posted a card opposite each table, counter, or other places where the guests or others are served with the same, which card shall be white, at least ten by fourteen inches in size and the words "Imitation Evaporated Milk Used Here" or "Imitation Ice Cream Used Here", as the case may be, printed in black Roman letters not less than three inches in height and two inches in width and no other words or figures shall be printed thereon. Provided, however, that this provision shall not apply to a private residence of a person serving his family or guests. Nothing in this or the preceding section shall be construed to require the labeling of nut ice cream or ice cream flavored with chocolate or cocoa, "Imitation Ice Cream".

SEC. 3. That the law as it appears in section two thousand five hundred fifteen-g (2515-g), supplement to the code, 1913, be and the same is hereby amended by striking out of line three thereof the words "twenty-five" and inserting in lieu thereof the word "ten" and by striking out of line four thereof the word "less" and inserting in lieu thereof the word "more".

SEC. 4. That the law as it appears in section two thousand five hundred twenty-two (2522), supplement to the code, 1913, be and the same is hereby amended by inserting after the word "creamery" where it appears in line four thereof the words "milk-plant, cream-station or ice cream."

SEC. 5. That chapter thirteen (13) of Title XII of the code be and the same is hereby amended by adding thereto the following:

Any person, firm or corporation who buys, sells or transports skimmed-milk, butter-milk, milk, cream, or ice cream, may adopt a distinctive mark or brand, to be placed on any container of such dairy products, owned by it, and may register such mark or brand with the state dairy and food commissioner, and when approved by the commissioner, such mark or brand shall be used only by the registrant thereof. The mark or brand may consist of the owner's name and address or suitable abbreviations therefor or both.

It shall be unlawful for any person, firm or corporation to use any mark or brand which has been so registered by and approved for the use of any other person, firm or corporation.

It shall be unlawful for any person, firm or corporation, other than the rightful owner thereof, to use any container, marked or branded as in this section provided, for any other purpose or for the transportation or handling of any other commodity than skimmed-milk, butter-milk, milk, cream or ice cream.

It shall be unlawful for any person, firm or corporation, other than the rightful owner thereof to deface, remove, or injure any mark or brand, provided in this section, placed on any container.

It shall be unlawful for any person, firm or corporation to use any container marked or branded, as in this section provided, without the consent of the owner thereof.

It shall be unlawful for any person, firm or corporation to have in its possession for a longer time than three days any container marked or branded as in this section provided, without the consent of the owner thereof and any person, firm or corporation having in its possession any container not its own property, or sent it by the owner thereof for use, shall immediately return such container or containers, other than milk and cream bottles, to the owner by a common carrier, and a receipt from a common carrier shall be prima facie evidence that such container was returned. Milk and cream bottles, marked or branded as in this section provided, shall be returned by delivering them to the owner thereof or his agent or servant, in person, or by leaving them where such owner, his agent or servant may pick them up at the time he delivers milk. Provided, that where the person, firm or corporation finds in its possession a container not its own property nor sent it by the owner thereof for use and not knowing the name and address of the rightful owner shall immediately notify the state dairy and food commissioner in writing that such container is in its possession, describing to him the size and shape of container and the mark thereon. Upon receipt of shipping instructions from the state dairy and food commissioner he shall immediately forward same by a common carrier collect to the name and address furnished him by the state dairy and food commissioner. Nothing in this section shall require the return of any milk or cream bottle when the cost of returning such bottle is greater than the market value of the bottle.

The state dairy and food commissioner shall adopt and issue rules and regulations for carrying out the provisions of this section. The term container used in this section shall include cans, bottles, casks, kegs, barrels, packages and other receptacles of like nature.

SEC. 6. That chapter thirteen (13) of Title XII of the code be and the same is hereby amended by adding thereto the following:

No person, firm or corporation shall use in any way, in connection or association with the sale or expose for sale or advertisement of any substance designed to be used as a substitute for butter, the word "butter", "creamery", or "dairy", except as required by section twenty-five hundred seventeen (2517) of the code, or the name or representation of any breed of dairy cattle, or any combination of such word or words and representation, or any other words or symbols or combination thereof commonly used in the sale of butter.

SEC. 7. That any person, firm or corporation violating any provision of this act shall be guilty of a misdemeanor, and upon conviction therefor shall be punished by a fine of not less than ten nor more than one hundred dollars or by imprisonment for not more than thirty days in the county jail.

SEC. 8. Nothing contained in this act shall in any manner operate to cause a vacancy or remove from office the dairy and food commissioner or his assistants or employees of the dairy and food department who may be serving when this act becomes effective.

SEC. 9. The provisions of section two of this act in so far as they relate to imitation evaporated milk shall take effect October 1, 1919.

The provision of section 7 of this act shall take effect August 1, 1919.

SEC. 10. This act being deemed of immediate importance, shall be in force and effect from and after its publication in the Des Moines Register and the Des Moines Capital, papers published at Des Moines, Iowa.

P. C. HOLDOEGEL, *Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By Senator Kimball, Senate File No. 420, a bill for an act to amend Chapter four hundred and one (401), of the laws of the Thirty-Seventh General Assembly and relating to filling vacancies in the office of Senator in the Congress of the United States.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Kimball, Senate File No. 421, a bill for an act

providing free tuition and matriculation fees in any state institution of learning for any honorably discharged soldier or sailor in the service of the United States.

Read first and second time and referred to committee on educational institutions.

By Senator Frailey, Senate File No. 422, a bill for an act to legalize the title to certain buildings now located upon the grounds of the Iowa State Penitentiary, Fort Madison, Lee County, Iowa.

Read first and second time and referred to committee on board of control.

By Senator Balkema, Senate File No. 423, a bill for an act to amend the law as it appears in paragraph five (5) of section eight hundred ninety-four (894) of the Code, relating to the levying of taxes for waterworks.

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

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 13th day of March, 1919, sent to the governor for his approval, Senate File No. 258, a bill for an act to legalize a certain election held in the independent school district of Missouri Valley, in the county of Harrison and state of Iowa, on the twelfth day of March, 1917, and to authorize and legalize bonds to be issued pursuant to such election and to authorize the expenditure of the funds for the purposes as proposed at said election.

Also:

Senate File No. 210, a bill for an act creating a commission of three persons to edit and codify the laws of the state; defining its powers and duties; providing for the editing of a book of annotations of the code by the code editor; providing for clerical assistance and for the publication and distribution of the code, report of commission, and book of annotations and making an appropriation for the expenses of said commission and such work.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

## AMENDMENT FILED TO SENATE FILE 128.

I move to amend Senate File No. 128 by adding a comma (",") after the word boundary in line three of said bill, and also by adding after the said comma the following:

"except boundary lines of public highways,".

DAVID MEREDITH.

## MOTION TO RECONSIDER FILED.

MR. PRESIDENT—I move to reconsider the vote by which House File No. 88 failed to pass the Senate.

B. M. STODDARD.

On motion of Senator Price, Senate adjourned until 9:00 a. m. Friday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 14, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. George R. Cady, pastor of the First Congregational church of Clinton.

On motion of Senator Kingland, rule 33 was suspended for the day.

## PETITIONS AND MEMORIALS.

Senator Proudfoot presented a remonstrance of citizens of Warren county against bond issue for hard surfaced roads.

Referred to committee on highways.

Senator Foskett presented a petition of Clarinda D. A. R. Chapter favoring state banner for Iowa.

Referred to committee on military affairs.

Senator Byington presented a remonstrance of citizens of Homestead against House File No. 6 as amended.

Referred to committee on schools.

Senator Byington presented a petition of members of M. E. church of Victor against the cigarette law.

Referred to committee on public health.

Senator Fellows presented a remonstrance of citizens of Fayette and Allamakee counties against House File No. 6.

Referred to committee on schools.

Senator Coburn presented a petition of members of Pilot Rock Chapter of D. A. R. favoring state banner for Iowa.

Referred to committee on military affairs.



Senator Foster presented a remonstrance of citizens of Panora against bond issue for hard surfaced roads.

Referred to committee on highways.

#### LEAVE OF ABSENCE.

On request of Senator Proudfoot, leave of absence was granted Senators Frailey and Arney for the day.

On request of Senator Cessna, leave of absence was granted Senator Meredith for the day.

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

#### EXPLANATION OF VOTE.

Des Moines, Iowa, March 13, 1919.

In explanation of my failure to vote for the bill transferring the collection of the motor vehicle tax from the secretary of state's office to the treasurer of state's office, I desire to state and have the same made of record as follows:

I was detained in the House of Representatives a few minutes after the joint session of the Pioneer Law Makers' exercises arranging to provide an amendment to the primary law in harmony with the law repealing the nonpartisan judiciary law. Upon return to the Senate a bill radically changing the business of the secretary of state's office had been reported in and was about to be taken up for immediate passage without having been printed or copies thereof furnished to the members of the Senate. Such an unusual proceeding in the passage of an important bill did not seem to me to be wise. It was stated that the reason for the bill was a malfeasance in office of the secretary of state. If this be true and such unusual and sudden change of the functions of the office of secretary of state should be made and I had full knowledge of the matter I would want to vote for the bill. I did not desire to convict any officer unheard nor too suddenly and without due consideration, and by a hurriedly written bill so radically change the functions of one of the principal offices of the state, particularly so if this be a quarrel between two of the principal officers of the state. Moreover, the secretary of state's office is particularly a registration office and the treasurer of state's office is not. The statutes of the state by chapter 9, title VI, provide that the governor may at any time appoint a commission of three to examine the accounts of any officer and he may appoint a suitable person to temporarily fill the office who shall perform the duties of the office during the suspension of such officer. If an officer is guilty of malfeasance to warrant the removal of a part of the functions of his office from him why should all functions of his office not be removed from him? These were matters which it seemed to me should be considered before any one could

intelligently vote upon the bill, and I, therefore, declined to do so. It was not because of any desire to prevent a full and fair investigation of any and all questions relating to the conduct of an office of the state that I refused to vote upon the bill.

CLEM F. KIMBALL.

#### INTRODUCTION OF BILLS.

By Senator Parker, Senate File No. 424, a bill for an act amending Chapter two A (2A), Supplement to the Code, 1913, relating to establishment of drainage districts.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Parker, Senate File No. 425, a bill for an act to amend the law as it appears in section twenty-six hundred twenty-nine (2629), Supplement to the Code, 1913, relating to certification of teachers.

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

By Senator Parker, Senate File No. 426, a bill for an act to amend Section two hundred fifty-four-a22 (254-a22), Supplement to the Code, 1913, relating to the Juvenile Court.

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

By Senator Parker, Senate No. 427, a bill for an act to amend Section two (2), Chapter four hundred five (405) of the Acts of the 37th General Assembly, relating to salary of probation officers.

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

By Senator Parker, Senate File No. 428, a bill for an act to amend Section two hundred fifty-four-a20 (254-a20), Supplement to the Code, 1913, relating to financial aid for widowed mothers.

Read first and second time and referred to committee on county and township affairs.

By Senator Parker, Senate File No. 429, a bill for an act to repeal Paragraph four (4) of Section four thousand six hundred twenty-three (4623) of the Code, and to enact a substitute therefor, relating to the admissibility as evidence of loose leaf or card or other form of entry used in the ordinary course of business.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Balkema, Senate File No. 430, a bill for an act to amend the law as it appears in section twenty-five hundred thirty-eight-r (2538-r), supplement to the Code, 1913, relating to commission of animal health.

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

By Senator Schaffter, Senate File No. 431, a bill for an act to amend the law as it appears in Chapter five (5), Title six (VI) of the Code, relating to the election of presidential electors and to amend Section eleven hundred and seventy-three (1173), Supplement to the Code, 1913, and to provide that the right to vote for presidential electors shall not be abridged on account of sex.

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

By Senator Buser, by request, Senate File No. 432, a bill for an act amending Section Seven Hundred Twenty-five (725), Supplement to the Code, 1913, to authorize and empower cities and towns, cities acting under special charter, cities acting under the commission plan and cities acting under the city manager plan to contract with the utilities companies for a maximum rate for service rendered the city and its inhabitants by such companies.

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

By Senator Buser, by request, Senate File No. 433, a bill for an act amending Section Nine Hundred Ninety-seven-c (997-c), of Title Five (5), Chapter Fourteen (14), Supplemental Supplement to the Code, 1915, providing for the care, custody and control of

trees, shrubbery, flowers and grass outside of the lot or property lines and inside the curb lines and upon the public streets and placing the same within the jurisdiction of the Park Commissioners of Special Chartered Cities, Cities under the Commission Form, Cities under the City Manager Plan and ordinary Cities and Towns.

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

By committee on departmental affairs, Senate File No. 434, a bill for an act to amend Chapter Seven (7)-a of title Two (2), supplemental supplement to the Code, 1915, defining the residence of state officers and employees.

Read first and second time and passed on file.

By Senator Newberry, by request, Senate File No. 435, a bill for an act to repeal the law as it appears in section two thousand five hundred seventy-four (2574) supplement to the Code, 1913, and to enact a substitute therefor relating to the compensation of the secretary of the state board of health.

Read first and second time and referred to committee on departmental affairs.

By Senator Schaffter, Senate File No. 436, a bill for an act authorizing life insurance companies to act as trustee of the proceeds of certain insurance policies. (This act is additional to chapter six (6), title Nine (IX), supplement to the code, 1913).

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

By Senator Scott, Senate File No. 437, a bill for an act to amend the law as it appears in Sections Two Hundred Fifty (250), Three Thousand Two Hundred Sixty One (3261) and Three Thousand Two Hundred Eighty Three (3283) of the Code and providing for the admission to probate of wills of decedents by clerks of the district court.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Scott, Senate File No. 438, a bill for an act amending the law as it appears in Section One Thousand Seventy Two (1072) of the Supplement to the Code, 1913, and providing for the appointment of the clerks of the district court of Iowa, by the judges of said court, and fixing the term for which the clerks of said court shall hold office.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Evans, Senate File No. 439, a bill for an act repealing Section seventy (70) and Section seventy-one (71) Supplement to the Code, 1913, changing the compilation, publication and distribution of the Iowa Official Register from the office of the secretary of state to that of the document editor and amending Section one hundred forty-four-j (144-j) Supplemental Supplement to the Code, 1915, all relating to the compilation, publication and distribution of the Iowa Official Register.

Read first and second time and referred to committee on departmental affairs.

By Senator Wilson, Senate File No. 440, a bill for an act to convey to James M. Peden the title of the State of Iowa to the Northeast quarter ( $NE\frac{1}{4}$ ) of the Southwest quarter ( $SW\frac{1}{4}$ ) of Section Eleven (11), Township Seventy (70) North, Range Thirteen (13), West of the 5th P. M.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Price, Senate File No. 441, a bill for an act to repeal chapter one hundred eighty-six (186) of the acts of the 37th General Assembly and to amend section two hundred seventy-five (275) of the code, section two hundred eighty-d (280-d), supplement to the code, 1913, and section six hundred ninety-four-c-forty-nine (694-c-49), supplemental supplement to the code, 1915, relating to compensation of reporters in superior and municipal courts.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Kimberly, Senate File No. 442, a bill for an act to legalize the plat and dedication of the incorporated town of Long Grove, Scott county, Iowa.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Kimberly, Senate File No. 443, a bill for an act to amend the law as it appears in section eight hundred seventy-nine-r (879-r), supplemental supplement to the Code, 1915, affecting Juvenile Playgrounds.

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

By Senator Rule, Senate File No. 444, a bill for an act amending Sections eleven hundred thirty one (1131) and twenty seven hundred forty seven (2747) of the code, relating to school elections granting the right of suffrage at such elections to women.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Kingland, Senate File No. 445, a bill for an act to amend the law as it appears in Chapter Four (4) of Title VII of the Supplement to the Code, 1913, providing for the taxation of direct inheritances and repealing all laws in conflict herewith.

Read first and second time and referred to committee on ways and means.

By Senator Kingland, Senate File No. 446, a bill for an act to amend section four hundred seventy-three (473) of the Code so as to provide that the Board of Supervisors and the County Auditor shall be required to keep the court room in the court house well heated, lighted and ventilated during the times when court is in session.

Read first and second time and referred to committee on county and township affairs.

By Senator Kingland, Senate File No. 447, 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, such act being additional to chapter eight (8) of title X of the code, relating to telegraph and telephone companies.

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 concurred in the Senate amendments to House File No. 47, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 requiring the use of the English language as the medium of instruction in all schools within the state of Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in the Senate amendments to House File No. 121, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGE CONSIDERED.

House File No. 6, a bill for an act requiring the use of the English language as the medium of instruction in all secular subjects in all schools within the state of Iowa.

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

#### REPORTS OF COMMITTEES.

Senator Foskett, from the committee on appropriations, submitted the following report:

MR. PRESIDENT—Your committee on appropriations, to whom was referred Senate File No. 158, a bill for an act to amend section 2727-3a of the supplement to the code, 1913, providing for salaries of chief executives of certain state institutions, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred House File No. 110, a bill for an act to amend section ten (10) of chapter 290 of the acts of the 37th General Assembly, and appropriating money for the expenditures of the state board for vocational education, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 192, a bill for an act to provide for purchasing additional land for the Iowa State Fair and for paying paving and curbing assessment against the Iowa State Fair grounds and to make appropriations therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 294, a bill for an act to amend section 2604, supplemental supplement to the code, 1915, relating to salary of commandant of the Soldiers' Home, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 193, a bill for an act to provide for the construction of a cattle barn and sale pavilion on the Iowa State Fair Grounds and to make an appro-



priation therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 227, a bill for an act to establish a home for dependent, neglected, delinquent or destitute children, residents of Iowa, as defined by the laws of the state of Iowa, to secure necessary grounds, site, buildings and equipment therefor, conferring full power to manage, control and govern the same upon the board of control of state institutions, etc., beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 103, a bill for an act to authorize the paving by the state of Iowa of the public highway along the south side of the property owned by the state in connection with the hospital for insane at Cherokee, Iowa, 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 and when so amended the bill do pass:

Amend section 2 by striking out the period (".") at the end thereof and inserting a comma (",") and adding thereto the following:

"provided that as a prerequisite to the ordering of said improvements the abutting property owners and city of Cherokee shall have taken the proper steps, under the statutes of Iowa, to assure the payment by said property owners and city of Cherokee of that part of the costs of the said improvements which can legally be assessed against said property owners and city."

Amend section 3 by inserting after the word "improvement" in line two (2) of said section the following:

"not borne by the abutting property owner and the city of Cherokee" and by striking out from lines two and three of said section 3 the words and figures "forty thousand dollars (\$40,000.00)" and by inserting in lieu thereof the words and figures "thirty-seven thousand dollars (\$37,000.00)".

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 94, a bill for an act relating to the public health, making and providing penalties for the violations of the provisions thereof, and repealing all acts in conflict herewith, 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:

Amend by striking out the words "is authorized and directed to" and inserting in lieu thereof the word "may" following the word "supervisors" in line six of section thirteen and by striking out the word "to" preceding the word "erect" in line seven of section thirteen; by striking out the word "of" in line eight of section 14 and inserting in lieu thereof the word "or", and by inserting after the word "annually" at the end of line 2 in section 22 the words and figures "for the years 1919 and 1920"; by striking out the words and figures "twenty-five thousand (\$25,000)" in line one of section twenty-two and substituting therefor the words and figures "fifteen thousand (\$15,000)".

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 105, a bill for an act to amend chapter 164, acts of the 37th General Assembly, relating to pensions for the survivors of the northern border brigade and surviving widows of members thereof, 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:

Amend as recommended by the committee on ways and means.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Senator Wilson, from the committee on judiciary No. 1, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 1, to whom was referred Senate File No. 366, a bill for an act to amend section three thousand and forty-one (3041) of the code, relating to usury and making usury a misdemeanor and providing a penalty therefor, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. M. WILSON, *Chairman.*

On the question, "Shall the report of the committee be adopted?" the vote was:

Ayes, 33.

Adams	Foster	Reed
Anderson	Hale	Rule
Balkema	Haskell	Schaffter
Ball	Kimberly	Scott
Brookhart	Mitchell	Shane
Broxam	Newberry	Stephenson
Byington	Parker	Stoddard
Edwards	Price	Taylor
Evans	Proudfoot	Thompson
Fellows	Rainbow	White
Foskett	Ratcliff	Wilson

Nays, 3.

Kingland	LeCompte	Nelson
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Absent or not voting, 14.

Arney	Greenell	Pitt
Buser	Holdoegel	Smith
Cessna	Horchem	Van Alstine
Coburn	Kimball	Whitmore
Fralley	Meredith	

The report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 344, a bill for an act to repeal section 3252 of the code, and enacting a substitute therefor, 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:

By striking from line four (4) of section one (1) the words "instrument acknowledged and recorded"; also by striking out of lines six (6) and seven (7) the words "before a judge of the district court" and inserting in lieu thereof the following: "in the same manner as deeds conveying real estate are acknowledged,".

J. M. WILSON, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 327, a bill for an act to amend section three thirteen (313), supplement to the code, 1913, relating to practitioners from other states, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 342, a bill for an act limiting the time within which act may be brought to set aside, cancel, annul, declare void or invalid certain conveyances by counties and declaring such conveyances and all proceedings upon which they are based, etc., beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 127, a bill for an act providing for a transcript of any conveyance executed by any executor, administrator, guardian or trustee, which has been recorded in the office of the clerk of the district or circuit courts of the state of Iowa, and for filing, etc., beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 420, a bill for an act to amend chapter 401 of the laws of the 37th general assembly and relating to filling vacancies in the office of senator in the Congress of the United States, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 218, a bill for an act to amend section 4897-a of the supplement to the code, 1913, relating to the escape of persons committed to the penitentiary or reformatory and providing the jurisdiction of an indictment for the crime of escaping from such prison, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 168, a bill for an act to amend the law as it appears in section six hun-

dred ninety-four-c one (694-c 1), supplemental supplement to the code, 1915, relating to municipal courts, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman*.

Ordered passed on file.

Senator Ball, from the committee on public health, submitted the following report:

MR. PRESIDENT—Your committee on public health, to whom was referred Senate File No. 148 (by Kimball), a bill for an act for the prevention of blindness from ophthalmia neonatorum and relating to the report of appearances of infection of the eyes and requiring the use of an antiseptic by physicians, midwives and nurses, and for the furnishing by the state of the proper antiseptic, 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:

That section four (4) provided however that nothing in this act shall be compulsory upon the parent of any child without the attending physician to the person first having obtained the written consent of the parent of such child; and that section four (4) hereof shall be renumbered as section five (5).

GEO. W. BALL, *Chairman*.

Ordered passed on file.

Also:

Your committee on public health, to whom was referred Senate File No. 283 (by Mitchell), a bill for an act establishing a state board of embalming and undertaking, defining the duties, powers, and authority thereof, etc., beg leave to report they have had the same under consideration and recommend the same do pass.

GEO. W. BALL, *Chairman*.

Ordered passed on file.

Also:

Your committee on public health, to whom was referred Senate File No. 167 (by Arney), a bill for an act to amend the law as it appears in section two thousand two hundred thirty-eight (2238) of the code of 1897, giving to the board of supervisors authority to provide dental attendance and service for the poor, beg leave to report they have had the same under consideration and recommend the same do pass.

GEO. W. BALL, *Chairman*.

Ordered passed on file.

Also:

Your committee on public health, to whom was referred Senate File No. 367 (by Anderson), a bill for an act to repeal sections twenty-five hundred eighty-three-a (2583-a), twenty-five hundred eighty-three-b (2583-b), twenty-five hundred eighty-three-c (2583-c), twenty-five hundred eighty-three-d (2583-d), twenty-five hundred eighty-three-e (2583-e), twenty-five hundred eighty-three-f (2583-f), supplement to the code, 1913, etc., beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

Geo. W. Ball, *Chairman.*

On motion of Senator Ball, the report was adopted and the bill was indefinitely postponed.

### THIRD READING OF BILLS.

On motion of Senator Holdoegel, House File No. 118, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-a twenty-one (1989-a21) of the supplement to the code, 1913, relating to obstructions to levees, ditches and drains, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend the title by changing the period in line three (3) to a semi-colon, and by adding the following: "the relaying of tile drains; removal of obstructions therein; the condemnation of right of way to remove cause of obstructions; the right of appeal for award as to damages for condemnation; and the payment of damages for the cost of said proceedings and for repairs so made."

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Adams	Coburn	Holdoegel
Anderson	Edwards	Kingland
Balkema	Evans	LeCompte
Ball	Fellows	Nelson
Brookhart	Foskett	Newberry
Broxam	Foster	Parker
Buser	Greenell	Proudfoot
Byington	Hale	Rainbow
Cessna	Haskell	Ratcliff

Reed	Smith	Van Alstine
Rule	Stephenson	White
Schaffter	Stoddard	Wilson
Scott	Taylor	

Nays, none.

Absent or not voting, 12.

Arney	Kimberly	Price
Fralley	Meredith	Shane
Horchem	Mitchell	Thompson
Kimball	Pitt	Whitmore

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

On motion of Senator Pitt, Senate File No. 102, a bill for an act appropriating \$561.52 in favor of P. K. Holbrook for per diem and railroad fare at 2c a mile incurred by him in discharge of his official duties as a member of the Iowa State Board of Education from July 14, 1915, to October 12, 1916, inclusive, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Pitt 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 vote was:

Ayes, 42.

Adams	Foster	Rainbow
Anderson	Greenell	Ratcliff
Balkema	Hale	Reed
Ball	Haskell	Rule
Brookhart	Holdoegel	Scott
Broxam	Kingland	Shane
Buser	LeCompte	Smith
Byington	Mitchell	Stephenson
Cessna	Nelson	Stoddard
Coburn	Newberry	Taylor
Edwards	Parker	Thompson
Evans	Pitt	Van Alstine
Fellows	Price	White
Foskett	Proudfoot	Wilson

Nays, none.

Absent or not voting, 8.

Arney  
Fralley  
Horchem

Kimball  
Kimberly  
Meredith

Schaffter  
Whitmore

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 Newberry, Senate File No. 204, a bill for an act to amend the law as it appears in section 1177-b, supplement to the Code, 1913, relating to surety bonds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Newberry 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 vote was:

Ayes, 35.

Adams  
Anderson  
Balkema  
Ball  
Brookhart  
Broxam  
Byington  
Coburn  
Evans  
Fellows  
Foskett  
Foster

Greenell  
Hale  
Haskell  
Kingland  
Mitchell  
Nelson  
Newberry  
Parker  
Pitt  
Price  
Proudfoot  
Ratcliff

Reed  
Rule  
Schaffter  
Scott  
Shane  
Stephenson  
Stoddard  
Taylor  
Thompson  
White  
Wilson

Nays, 4.

Buser  
Edwards

LeCompte

Rainbow

Absent or not voting, 11.

Arney  
Cessna  
Fralley  
Holdoegel

Horchem  
Kimball  
Kimberly  
Meredith

Smith  
Van Alstine  
Whitmore

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 Parker, Senate File No. 272, a bill for:



an act to amend the law as it appears in Chapter 310, Acts of the 37th General Assembly, relating to the drawing of grand and petit jurors, fixing the number thereof, etc., with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Parker 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 vote was:

Ayes, 41.

Adams	Foster	Proudfoot
Anderson	Greenell	Ranbow
Balkema	Hale	Ratcliff
Ball	Haskell	Reed
Brookhart	Holdoegel	Rule
Broxam	Kimberly	Schaffter
Buser	Kingland	Scott
Byington	LeCompte	Stephenson
Cessna	Mitchell	Taylor
Coburn	Nelson	Thompson
Edwards	Newberry	Van Alatine
Evans	Parker	White
Fellows	Pitt	Wilson
Foskett	Price	

Nays, none.

Absent or not voting, 9.

Arney	Kimball	Smith
Fralley	Meredith	Stoddard
Horcham	Shane	Whitmore

As 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. 288, a bill for an act to amend section fifty-two hundred forty (5240) of the supplement to the code, 1913, relating to the impanelling of the grand jury, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

By unanimous consent the words "of the" were struck out of line 1 of the title and also line 2 of section 1.

Senator Kingland was called to the chair at 10:15.

Senator Taylor 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 vote was:

Ayes, 10.

Brookhart	Nelson	Thompson
Byington	Newberry	White
Kimberly	Scott	Whitmore
Kingland		

Nays, 30.

Adams	Fellows	Ratcliff
Anderson	Hale	Reed
Balkema	Haskell	Rule
Ball	Holdoegel	Schaffter
Broxam	Mitchell	Shane
Buser	Parker	Smith
Cessna	Pitt	Stephenson
Coburn	Price	Stoddard
Edwards	Proudfoot	Taylor
Evans	Rainbow	Wilson

Absent or not voting, 10.

Arney	Greenell	LeCompte
Foskett	Horchem	McEdith
Foster	Kimball	Van Alstine
Fralley		

So the bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

President Moore resumed the chair at 10:30.

#### 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. 407, a bill for an act relating to the registration of motor vehicles.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE AMENDMENT CONCURRED IN.

Senator Holdoegel called up Senate File No. 407, amended by the House, and moved that the Senate concur in the following House amendment:

Amend by striking out the period at the end of section one and substituting in lieu thereof a comma and further adding at the end of said section one the following: "and the Executive Council is hereby directed to effect the transfer of said motor vehicle department to the office of the Treasurer of State in accordance with the provisions of this act."

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Anderson	Foster	Ratcliff
Balkema	Hale	Rule
Ball	Haskell	Schaffter
Brookhart	Holdoegel	Scott
Broxam	Kimberly	Shane
Buser	Kingland	Stephenson
Byington	Nelson	Stoddard
Cessna	Newberry	Taylor
Coburn	Parker	Van Alstine
Edwards	Pitt	White
Evans	Price	Whitmore
Fellows	Proudfoot	Wilson
Foskett	Rainbow	

Nays, none.

Absent or not voting, 12.

Adams	Horchem	Mitchell
Arney	Kimball	Reed
Fralley	LeCompte	Smith
Greenell	Meredith	Thompson

The House amendment having received a constitutional majority was declared to have been concurred in by the Senate.

#### VOTE ON CONCURRENCE TABLED.

Senator Holdoegel moved that the vote by which the Senate concurred in House amendment to Senate File No. 407 be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 the following bills:

House File No. 47, a bill for an act to amend sections five (5) and six (6) of chapter three hundred forty-four (344), acts of the thirty-seventh general assembly, providing a minimum of assessments upon a single lot or tract of land which cannot be paid in installments, or which shall not be included in a bond issue of such drainage district.

Also:

House File No. 294, a bill for an act to authorize state banks, savings banks or trust companies, incorporated under the laws of Iowa, to make and execute bankers' acceptances of drafts and bills of exchange, and to accept such drafts or bills of exchange drawn upon said state bank, savings bank or trust company, having not more than six months' time to run exclusive of the days of grace.

Also:

House File No. 296, a bill for an act to repeal section eighteen hundred sixty-seven (1867), chapter eleven (11), title IX, of the code, and as amended by section two (2), of chapter one hundred eighty-nine (189), of the acts of the thirty-seventh (37) general assembly, relating to reserves of state banks and to enact a substitute therefor.

Also:

House File No. 121, a bill for an act to amend the law as it appears in section four thousand eleven (4011) of the code, relating to the exemption of personal earnings.

Also:

House File No. 19, a bill for an act to repeal sections one thousand eighty-seven-b (1087-b), one thousand eighty-seven-b-one (1087-b-1), one thousand eighty-seven-b-two (1087-b-2), one thousand eighty-seven-b-three (1087-b-3), one thousand eighty-seven-b-four (1087-b-4), one thousand eighty-seven-b-five (1087-b-5), supplement to the code, 1913, and to enact a substitute therefor, relating to the nomination and election of judges of the supreme, district and superior courts.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

Senator Ratcliff moved that inasmuch as the Senate would not be in session on Saturday, March 15th, that the rule be suspended whereby no bill may be introduced after March 15th, and that the time for introducing bills be extended to Monday, March 17th.

On the question, "Shall the motion prevail?" the vote was:

Ayes, 38.

Adams	Greenell	Rule
Anderson	Hale	Schaffter
Balkema	Holdoegel	Scott
Ball	Kimberly	Shane
Brookhart	Kingland	Smith
Broxam	Mitchel	Stephenson
Buser	Nelson	Stoddard
Byington	Newberry	Taylor
Cessna	Parker	Thompson
Coburn	Price	Van Alstine
Edwards	Proudfoot	White
Evans	Rainbow	Whitmore
Foskett	Ratcliff	

Nays, none.

Absent or not voting, 12.

Arney	Haskell	Meredith
Fellows	Horchem	Pitt
Foster	Kimball	Reed
Frailey	LeCompte	Wilson

So the rule was suspended and the time extended.

#### BILLS SIGNED BY PRESIDENT.

The President announced that as president of the Senate, in the presence of the Senate, he had signed House Files Nos. 47, 294, 296, 121 and 19.

#### THIRD READING OF BILLS.

On motion of Senator Newberry, House File No. 66, a bill for an act to amend section nine (9) of Chapter Three Hundred Eighty-six (386), of the Acts of the Thirty-seventh General Assembly relative to estimate for General Fund of School Corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Adams	Brookhart	Coburn
Anderson	Broxam	Edwards
Balkema	Byington	Evans
Ball	Cessna	Fellows

Greenell	Parker	Scott
Hale	Pitt	Stephenson
Haskell	Price	Stoddard
Holdoegel	Proudfoot	Thompson
Kimberly	Rainbow	Van Alstine
Kingland	Ratcliff	White
Mitchell	Rule	Whitmore
Nelson	Schaffter	Wilson
Newberry		

Nays, none.

Absent or not voting, 13.

Arney	Horchem	Reed
Buser	Kimball	Shane
Foskett	LeCompte	Smith
Foster	Meredith	Taylor
Fralley		

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 Coburn, House File No. 111, a bill for an act to amend the law as it appears in section one hundred fifty-six (156), of the acts of the Thirty-seventh General Assembly relating to high school tuition of nonresident pupils in approved schools, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Adams	Hale	Reed
Anderson	Haskell	Rule
Balkema	Holdoegel	Schaffter
Ball	Kimberly	Scott
Broxam	Kingland	Smith
Buser	LeCompte	Stephenson
Byington	Mitchell	Stoddard
Cessna	Nelson	Thompson
Coburn	Newberry	Van Alstine
Edwards	Parker	White
Evans	Proudfoot	Whitmore
Fellows	Rainbow	Wilson
Greenell		

Nays, 2.

Foster	Price
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Absent or not voting, 11.

Arney	Horchem	Ratcliff
Brookhart	Kimball	Shane
Foskett	Meredith	Taylor
Fralley	Pitt	

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

Senator Reed was called to the chair at 11:00 o'clock.

Mr. Charles Pergler, Commissioner of the Czecho-Slovak Republic to the United States, was introduced to the Senate by Senator Reed, and Mr. Pergler briefly addressed the Senate, as follows:

*Gentlemen of the Iowa State Senate:*

It is a great honor for me to be able to address your distinguished body, not only because it is an honor in itself to talk to any law making institution, but also because in these days one may indeed be proud of being an Iowan.

Iowa does things in a great way—in an Iowa way. Those of us who are in the east temporarily, but who come from Iowa, were proud of their state when the wires flashed a report that in the recent Fourth Liberty Loan drive Iowa went over the top first of all states in the union.

We of Czech parentage who are also Iowans are proud of being Iowans for another reason. Our national struggle for a long time centered about the question of adequate school facilities. We now have a smaller percentage of illiteracy than any other European nation with the exception of the Scandinavian nations. It has come to my notice only the other day (thanks to a Chicago educator) that Des Moines leads all American cities of a population of one hundred thousand or more in the percentage of all general expenses expended for public school support. So you see, even now there are certain things in common between the new republic and the state of Iowa.

You have within the borders of this state a good many citizens of Czech origin or Czech parentage. It would be of interest to you to know that these men played a great part in the struggle for independence of Bohemia and that thus the history of Iowa has become intertwined with that of the Czecho-Slovak republic. The interest of this Czecho citizenship in the cause of Czecho-Slovak independence has not diminished their Americanism, but has made of them even better Americans, because more than ever even—more passionately—they have come to love America and her institutions which protect liberty and order under the law. This country they have made their home, and in this country they shall remain Americans all.

What Europe needs now above everything else is the realization of the fact that stable governments are necessary if real progress is to be made. In the new republics of Europe has been established a bulwark, which, I trust, will make for real order. Poland, the Czecho-Slovak republic and a united Jugo-Slavia will form a bulwark between unfortunate Russia, still in the grip of chaos, and a Germany, still dreaming of dominating in one way or another the east of Europe. The European peoples, and especially the new and liberated nations of that continent, will look for example to America how to apply the democratic methods of majority rule—democratic methods which you are applying each day in your deliberations.

Gentlemen, I thank you for the honor you have conferred upon me in enabling me to address you, and I hope and feel confident that the new republic will have in the future the co-operation of all Americans in authority and in positions of responsibility.

Senator Evans moved that the remarks of Mr. Charles Pergler be printed in the journal.

The motion prevailed.

President Moore resumed the chair at 11:20.

#### THIRD READING OF BILLS.

On motion of Senator Schaffter, House File No. 269, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-a-forty-one (1989-a41), supplement to the code, 1913, relating to fees paid appraisers of damages and commissioners to assess benefits, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Adams	Edwards	Kimberly
Anderson	Evans	Kingland
Balkema	Fellows	LeCompte
Ball	Foskett	Mitchell
Brookhart	Foster	Nelson
Buser	Greenell	Newberry
Byington	Hale	Parker
Coburn	Horchem	Proudfoot



Reed	Smith	Van Alstine
Rule	Stephenson	White
Schaffter	Stoddard	Whitmore
Scott	Thompson	Wilson
Shane		

Nays, none.

Absent or not voting, 13.

Arney	Holdoegel	Price
Broxam	Kimball	Rainbow
Cessna	Meredith	Ratcliff
Frailey	Pitt	Taylor
Haskell		

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 Ball, Senate File No. 19, a bill for an act to amend section four hundred three (403) of the supplement to the code, 1913, relating to the issuance of county bonds and limiting the indebtedness of counties for road purposes in anticipation of current revenues, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ball offered the following amendment and moved its adoption:

I move to amend the bill by striking out of lines ten (10) and eleven (11) thereof the words "where otherwise provided or," and by striking out of lines 18 and 21 the words "and towns".

The amendment was adopted.

Senator Schaffter offered the following amendment and moved its adoption:

I move to amend by adding in line 16, after the word "and" the following: "in cities of the first class and cities under special charter only," and in line 18 by inserting before the word "cities" the word "said".

The amendment was adopted.

By unanimous consent, the words "of the" were stricken out of line 1 of the title and lines 1 and 2 of Section 1 and a comma inserted in lieu thereof.

Senator Buser offered the following amendment and moved its adoption:

I move to amend Senate File No. 19 by changing the period at the end of the word "county" in line 23 thereof to a comma and adding the following "subject to such tax".

The amendment was adopted.

By unanimous consent, the word "of" was stricken out of line 20 and the word "within" inserted in lieu thereof.

Senator Ball 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.

Senator Ball invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Adam	Foster	Ratcliff
Anderson	Greenell	Reed
Balkema	Hale	Rule
Ball	Haskell	Scott
Brookhart	Horchem	Smith
Buser	Kingland	Stephenson
Byington	LeCompte	Stoddard
Cessna	Mitchell	Taylor
Coburn	Nelson	Van Alstine
Edwards	Newberry	White
Evans	Pitt	Whitmore
Fellows	Proudfoot	Wilson
Foskett	Rainbow	

Nays, 4.

Parker	Schaffter	Shane
Price		

Absent or not voting, 8.

Arney	Holdoegel	Meredith
Broxam	Kimball	Thompson
Fralley	Kimberly	

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

#### VOTE ON SENATE FILE NO. 19 TABLED.

Senator Ball moved that the vote by which Senate File No. 19, passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 407, a bill for an act amending chapter 2-b, title VIII, supplement to the code, 1913, as amended, relating to the registration of motor vehicles and transferring the duties pertaining thereto from the office of the secretary of state to the treasurer of state.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 407, a bill for an act amending chapter 2-b, title VIII, supplement to the code, 1913, as amended, relating to the registration of motor vehicles and transferring the duties pertaining thereto from the office of the secretary of state to the treasurer of state.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

## BILL SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate File No. 407.

## BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 14th day of March, 1919, sent to the governor for his approval, Senate File No. 407, a bill for an act amending chapter 2-b, title VIII, supplement to the code, 1913, as amended, relating to the registration of motor vehicles and transferring the duties pertaining thereto from the office of the secretary of state to the treasurer of state.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

## THIRD READING OF BILLS.

On motion of Senator Le Compte, Senate File No. 145, a bill for an act to amend the law as it appears in section fifteen hundred sixty-five "A" (1565-a) supplement to the code, 1913, relating to the cutting of weeds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Le Compte 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 vote was:

Ayes, 42.

Adams	Hale	Ratcliff
Anderson	Haskell	Reed
Balkema	Horchem	Rule
Ball	Kimberly	Scott
Brookhart	Kingland	Shane
Buser	LeCompte	Smith
Byington	Mitchell	Stephenson
Cessna	Nelson	Stoddard
Coburn	Newberry	Taylor
Edwards	Parker	Thompson
Evans	Pitt	Van Alstine
Fellows	Price	White
Foskett	Proudfoot	Whitmore
Greenell	Rainbow	Wilson

Nays, none.

Absent or not voting, 8.

Arney	Fralley	Meredith
Broxam	Holdoegel	Schaffter
Foster	Kimball	

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. 150, a bill for an act to amend the law as it appears in section thirteen hundred twenty-eight (1328), supplement to the code, 1913, relating to the tax of telephone companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator White 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 vote was:

Ayes, 35.

Adams	Horchem	Scott
Anderson	Kimberly	Shane
Balkema	Kingland	Smith
Brookhart	Mitchell	Stephenson
Byington	Nelson	Stoddard
Coburn	Newberry	Taylor
Edwards	Pitt	Thompson
Evans	Price	Van Alstine
Fellows	Proudfoot	White
Greenell	Rainbow	Whitmore
Hale	Ratcliff	Wilson
Haskell	Rule	

Nays, none.

Absent or not voting, 15.

Arney	Foskett	LeCompte
Ball	Foster	Meredith
Broxam	Frailey	Parker
Buser	Holdoegel	Reed
Cessna	Kimball	Schaffter

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. 250, a bill for an act to amend the law as it appears in section two thousand five hundred twenty-seven-1 (2527-1) Supplement to the Code, 1913, relating to sanitation in food producing establishments and the licensing thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balkema 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 vote was:

Ayes, 36.

Anderson	Brookhart	Coburn
Balkema	Buser	Edwards
Ball	Byington	Evans

Fellows	Nelson	Smith
Foskett	Newberry	Stephenson
Greenell	Parker	Stoddard
Hale	Price	Taylor
Haskell	Rainbow	Thompson
Holdoegel	Rule	Van Alstine
Horchem	Schaffter	White
Kimberly	Scott	Whitmore
Mitchell	Shane	Wilson

Nays, none.

Absent or not voting, 14.

Adams	Frailey	Pitt
Arney	Kimball	Proudfoot
Broxam	Kingland	Ratcliff
Cessna	LeCompte	Reed
Foster	Meredith	

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 Evans, Senate File No. 275, a bill for an act to repeal section 4960 and section 4961 of the Code relating to the sale of or gift of spirituous or other liquors or articles of merchandise at camp meetings and other places of religious worship, with report of committee recommending indefinite postponement, was taken up and considered, the report of the committee having been rejected.

Senator Evans 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 vote was:

Ayes, 28.

Balkema	Holdoegel	Scott
Ball	Horchem	Shane
Byington	Kimberly	Smith
Coburn	LeCompte	Stoddard
Edwards	Mitchell	Taylor
Evans	Nelson	Thompson
Fellows	Newberry	Van Alstine
Foskett	Price	White
Greenell	Schaffter	Wilson
Hale		

Nays, 11.

Anderson	Foster	Rule
Brookhart	Haskell	Stephenson
Buser	Parker	Whitmore
Cessna	Rainbow	

Absent or not voting, 11.

Adams  
Arney  
Broxam  
Frailey

Kimball  
Kingland  
Meredith  
Pitt

Proudfoot  
Ratcliff  
Reed

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

#### BILLS SIGNED BY THE GOVERNOR.

A communication was received from the governor saying that he had on March 14, 1919, approved and signed Senate Files Nos. 258 and 210.

#### MOTIONS TO RECONSIDER FILED.

I move to reconsider the vote by which the report of the judiciary committee No. 1, to indefinitely postpone Senate File No. 366, was adopted.

BEN EDWARDS.

I move to reconsider the vote by which Senate File No. 367 was indefinitely postponed.

W. W. ANDERSON.

I move to reconsider the vote by which Senate File No. 288 was lost.

T. E. TAYLOR.

Senator Ball asked and obtained unanimous consent to file a motion to reconsider the vote by which the report of the committee was adopted, indefinitely postponing Senate File No. 222.

The motion to reconsider prevailed.

On motion of Senator Ball, Senate File No. 222 was re-referred to the committee on public health.

#### MOTION TO RECONSIDER WITHDRAWN.

By unanimous consent, Senator Balkema withdrew his motion filed to reconsider the vote by which House File No. 122 passed the Senate.

On motion of Senator Newberry, Senate adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

## REPORT OF COMMITTEE.

Senator Adams, 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. 74, a bill for an act providing for the issuance of licenses by the state fish and game commission to those desiring to catch or kill mussels for commercial purposes regulating and providing the manner in which mussels shall be caught or killed, and providing for the opening or closing of certain streams in Iowa for the purpose of catching mussels, beg leave to report they have had the same under consideration and recommend the same be reported out without recommendation.

H. C. ADAMS, *Chairman.*

Ordered passed on file.

Also:

Your committee on fish and game, to whom was referred Senate File No. 229, a bill for an act to amend section 2555 of the supplemental supplement to the code, 1915, relating to the shipment of game out of this state, beg leave to report they have had the same under consideration and recommend the same do pass.

H. C. ADAMS, *Chairman.*

Ordered passed on file.

Also:

Your committee on fish and game, to whom was referred Senate File No. 157, a bill for an act to amend chapter 396 of the acts of the 37th General Assembly, relating to the trapping of fur bearing animals, 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:

Amend by striking out all after the enacting clause and substitute the following:

Section 1. That the law as it appears in chapter three hundred ninety-six (396) of the acts of the Thirty-seventh General Assembly be and the same is hereby amended by inserting after the comma following the word "following" in the sixth line, these words: "or any skunk or raccoon between the first day of March and the first day of November following."

H. C. ADAMS, *Chairman.*

Ordered passed on file.



## CORRECTION OF JOURNAL.

The journal of March 13th was corrected and approved.

## SENATE FILE NO. 242 WITHDRAWN.

By unanimous consent, Senator LeCompte withdrew Senate File No. 242 from further consideration.

## SPECIAL ORDER.

On motion of Senator Van Alstine, Senate File No. 178 was made a special order for Tuesday, March 18th at 10:30.

## INTRODUCTION OF BILLS.

By Senator Brookhart, Senate File No. 448, a bill for an act creating a State Board of Art; for the participation of the State Board of Art with other public authorities in the selection of public objects and structures of memorial art and their placement.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Balkema, Senate File No. 449, a bill for an act to amend the law as it appears in section fifteen hundred twenty-seven-S1 (1527-S1), Supplement to the Code, 1913, relative to compensation of members of the State Highway Commission.

Read first and second time and referred to committee on departmental affairs.

By Senator Price, Senate File No. 450, a bill for an act to amend chapter Two Hundred Thirty-six (236), of the Acts of the Thirty-seventh General Assembly relating to Public Parks and appropriations therefor out of the funds in the Fish and Game Warden's Department and providing a substitute therefor.

Read first and second time and referred to committee on fish and game.

## THIRD READING OF BILLS.

On motion of Senator Rule, House File No. 4, a bill for an act amending section four hundred forty-one (441), supplemental supplement to the Code, 1915, as amended by chapter four hundred eight (408), acts of the Thirty-seventh General Assembly,

relating to the publication of the proceedings of boards of supervisors in foreign language newspapers, and repealing section five hundred forty-nine (549), supplement to the Code, 1913, relating to the designation of newspapers for the publication of legal notices, and enacting a substitute therefor, and providing for the publication of legal notices and proceedings exclusively in the English language and in newspapers published in the English language, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following amendments proposed by the committee on judiciary No. 2 were adopted:

Strike out all after the enacting clause and insert in lieu thereof the following:

Section 1. That section four hundred forty-one (441) Supplemental Supplement to the code, 1915, as amended by chapter four hundred and eight (408) Acts of the Thirty-seventh General Assembly, be and the same is hereby amended by striking therefrom all of said section after the period in line forty-one thereof and inserting in lieu thereof the following: "If in any county the publishers of two or more newspapers, at least one of which by reason of its location and circulation, is entitled to be selected as a county official newspaper, have entered into an agreement to publish the official proceedings or have united in a request to have their publications selected for such purposes, and such agreement or request has been filed with the Board of Supervisors prior to the naming of the official newspaper, the Board of Supervisors shall designate each of them a county official paper for the publication of the proceedings of the Board, but the combined compensation of the papers so requesting or agreeing, added to that of the other official paper or papers, if any, shall not exceed the combined compensation allowed by law to two officials papers in counties having a population below fifteen thousand, or to three official papers in counties having a population of fifteen thousand or more".

Sec. 2. That section five hundred forty-nine (549) Supplement to the code, 1913, is hereby repealed and the following is hereby enacted in lieu thereof: "The Clerk of the District Court, Sheriff, Auditor, Treasurer and Recorder shall each designate the newspapers in which the notices pertaining to his office shall be published and the Board of Supervisors shall designate the papers in which all other county notices shall be published. All notices above designated, all legal notices and notices required by law or by ordinance of any city or town or special charter city, and cities operating under commission plan and all proceedings of the Board of Supervisors or of any city or town council or special charter city, and all other proceedings required by law to be

published, shall be published only in the English language, and in newspapers published wholly in the English language, but nothing herein shall be construed to affect any action of any Board of Supervisors or any city or town council or special charter city or cities operating under commission plan having named papers of a foreign language as official papers for publishing proceedings of the Board or of the city or town council or special charter city or cities operating under commission plan proceedings for the year 1919".

Sec. 3. This act being deemed of immediate importance shall be in full force from and after its publication in the Des Moines Register and the Des Moines Capital, newspapers published in Des Moines, Iowa.

The following amendments proposed by the committee on printing were adopted:

Insert as section 3 of the bill as amended, the following: "Nothing herein contained shall be construed to affect any pending litigation."

Renumber section 3 to section 4.

Amend the title of House File No. 4 by inserting after the words "foreign language newspapers" the following: "and in other newspapers; recognition of publishers' agreements and requests by boards of supervisors;".

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 35.

Anderson	Greenell	Rule
Ball	Hale	Schaffter
Brookhart	Haskell	Scott
Broxam	Horchem	Shane
Buser	LeCompte	Smith
Byington	Mitchell	Stephenson
Cessna	Nelson	Stoddard
Coburn	Newberry	Van Alstine
Edwards	Parker	White
Evans	Price	Whitmore
Fellows	Rainbow	Wilson
Foskett		
Foster		

Nays, none.

Absent or not voting, 15.

Adams	Frailey	Kimberly
Arney	Holdoegel	Kingland
Balkema	Kimball	Meredith

Pitt  
Proudfoot

Ratcliff  
Reed

Taylor  
Thompson

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 Horchem, Senate File No. 316, a bill for an act to amend the law as it appears in chapter 26, section 1, acts of the 37th General Assembly, relating to the acquisition of school house sites, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by changing the word "for" in line 19 after the word "purchase" to "of". Also by striking from line 21 after the Code the words and figures "of Iowa 1897" and inserting before the word "code" the words "of the" and that Section 2 thereof be amended by changing the period in line 5 after the word "Iowa" to a comma and adding the words "without expense to the state."

Senator Horchem 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 vote was:

Ayes, 37.

Anderson  
Balkema  
Brookhart  
Broxam  
Buser  
Byington  
Coburn  
Edwards  
Evans  
Fellows  
Foskett  
Foster  
Greenell

Hale  
Haskell  
Horchem  
Kimball  
Kimberly  
Mitchell  
Nelson  
Newberry  
Parker  
Price  
Rainbow  
Rule

Schaffter  
Scott  
Shane  
Smith  
Stephenson  
Stoddard  
Taylor  
Thompson  
Van Alstine  
White  
Whitmore  
Wilson

Nays, none.

Absent or not voting, 13.

Adams  
Arney  
Ball  
Cessna  
Fralley

Holdoegel  
Kingland  
LeCompte  
Meredith

Pitt  
Proudfoot  
Ratcliff  
Reed

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 Evans, Senate File No. 276, a bill for an act, to amend the law as it appears in section three thousand nine-a (3009-a), supplement to the code, 1913, and three thousand nine-n (3009-n) supplemental supplement to the code, 1915, repealing section three thousand nine-j (3009-j) supplemental supplement to the code, 1915, and enacting a substitute therefor relating to weights and measures, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking out Section One (1), and renumbering Sections Two (2) and Three (3) to appear as Sections One (1) and Two (2) respectively.

Senator Evans 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 vote was:

Ayes, 35.

Anderson	Greenell	Schaffter
Brookhart	Hale	Scott
Broxam	Horchem	Shane
Buser	Kimberly	Smith
Byington	Kingland	Sephenson
Ceasna	Mitchell	Stoddard
Coburn	Nelson	Thompson
Edwards	Newberry	Van Alaine
Evans	Parker	White
Fellows	Price	Whitmore
Foskett	Rainbow	Wilson
Foster	Rule	

Nays, none.

Absent or not voting, 15.

Adams	Haskell	Pitt
Arney	Holdoegel	Proudfoot
Balkema	Kimball	Ratcliff
Ball	LeCompte	Reed
Fralley	Meredith	Taylor

So the bill having received a constitutional majority was declared to have passed the Senate.

By unanimous consent the words and figures "section three thousand nine-a (3009-a), supplement to the code, 1913, and" were stricken from the title and the title as amended was agreed to.

On motion of Senator Schaffter, Senate File No. 328, a bill for an act to amend the law as it appears in section one thousand nine hundred eighty-nine-a nine (1989-a9), supplement to the code, 1913, as amended by chapter two hundred sixty-four (264), Acts of the Thirty-Seventh General Assembly, providing for keeping a record of drainage warrants, and for notifying holders thereof when there are funds with which to pay such warrants, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schaffter 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 vote was:

Ayes, 36.

Anderson	Greenell	Rainbow
Balkema	Hale	Rule
Brookhart	Haskell	Schaffter
Buser	Holdoegel	Scott
Byington	Horchem	Shane
Cessna	Kimberly	Smith
Coburn	Kingland	Stephenson
Edwards	Mitchell	Taylor
Evans	Nelson	Thompson
Fellows	Newberry	Van Alstine
Foskett	Parker	Whitmore
Foster	Price	Wilson

Nays, none.

Absent or not voting, 14.

Adams	Kimball	Ratcliff
Arney	LeCompte	Reed
Ball	Meredith	Stoddard
Broxam	Pitt	White
Frailey	Proudfoot	

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 Buser, Senate File No. 341, a bill for an

act amending section fifteen hundred thirty-three (1533) Supplement to the code, 1915, relating to the cutting of weeds along public highways over which township trustees and county boards have jurisdiction, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Buser 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 vote was:

Ayes, 40.

Anderson	Greenell	Ratcliff
Balkema	Hale	Rule
Ball	Haskell	Schaffter
Brookhart	Horchem	Scott
Broxam	Kimball	Shane
Buser	Kimberly	Smith
Byington	Kingland	Stephenson
Cessna	Mitchell	Stoddard
Coburn	Nelson	Taylor
Edwards	Newberry	Thompson
Evans	Parker	Van Alstine
Fellows	Proudfoot	Whitmore
Foskett	Rainbow	Wilson
Foster		

Nays, none.

Absent or not voting, 10.

Adams	LeCompte	Price
Arney	Meredith	Reed
Fralley	Pitt	White
Holdoegel		

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

By unanimous consent the figures "1915" were changed to "1913" wherever occurring in the title and the bill.

On motion of Senator Horchem, Senate File No. 361, a bill for an act regulating the sale of shoes and requiring that shoes sold or offered for sale in this state shall be branded, and making it a misdemeanor to sell or offer for sale shoes that are not branded, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend the title of Senate File No. 361 by inserting "other than leather and rubber goods," immediately following the word "shoes" in line one of the title.

On request of Senator Horchem further action was deferred.

On motion of Senator Foskett, House File No. 53, a bill for an act amending Section four hundred twenty-three (423) of the supplemental supplement to the code, 1915, relative to the expenditures for improvements by the county board of supervisors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Adams	Hale	Reed
Anderson	Holdoegel	Rule
Balkema	Horchem	Schaffter
Ball	Kingland	Scott
Brookhart	Mitchell	Shane
Broxam	Nelson	Smith
Buser	Newberry	Stephenson
Byington	Parker	Taylor
Edwards	Price	Thompson
Evans	Proudfoot	White
Fellows	Rainbow	Whitmore
Foskett	Ratcliff	Wilson
Greenell		

Nays, none.

Absent or not voting, 13.

Arney	Haskell	Meredith
Cessna	Kimball	Pitt
Coburn	Kimberly	Stoddard
Foster	LeCompte	Van Alstine
Fralley		

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 Mitchell, Senate File No. 241, a bill for an act to fix standards for apples when packed in closed packages, and requiring such packages to be branded or labeled so as to



show the grade, variety and size or number of the apples packed therein; and making it a misdemeanor to pack for sale, ship for sale, consign for sale apples which are not graded, packed and labeled as provided in this act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Coburn moved the previous question, which motion prevailed and the previous question was ordered.

Senator Mitchell 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 vote was:

Ayes, 38.

Adams	Holdoegel	Ratcliff
Anderson	Horchem	Reed
Balkema	Kimberly	Rule
Ball	Kingland	Schaffter
Brookhart	LeCompte	Shane
Broxam	Mitchell	Smith
Buser	Nelson	Stephenson
Coburn	Newberry	Stoddard
Edwards	Parker	Taylor
Evans	Price	Van Alstine
Fellows	Proudfoot	White
Foskett	Rainbow	Wilson
Hale		

Nays, 3.

Haskell	Thompson	Whitmore
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Absent or not voting, 9.

Arney	Fralley	Meredith
Byington	Greenell	Pitt
Foster	Kimball	Scott

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. 537, a bill for an act to repeal House File No. 17, relating to discharge papers of discharged soldiers, sailors and marines.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGE CONSIDERED.

House File No. 537, a bill for an act to repeal House File No. 17, of the acts of the Thirty-eighth General Assembly, and to enact a substitute therefor, to provide for the recording of discharge papers of discharged soldiers, sailors and marines.

Read first and second time and passed on file.

#### THIRD READING OF BILLS.

On motion of Senator Ratcliff, House File No. 537, a bill for an act to repeal House File No. 17, of the acts of the Thirty-eighth General Assembly and to enact a substitute therefor to provide for the recording of discharge papers of discharged soldiers, sailors and marines, was taken up for consideration.

On motion of Senator Ratcliff the rule was suspended under which no bill may be read a second and third time the same day.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 43.

Adams	Haskell	Reed
Anderson	Holdoegel	Rule
Balkema	Horchem	Schaffter
Ball	Kimberly	Scott
Brookhart	Kingland	Shane
Broxam	LeCompte	Smith
Buser	Mitchell	Stephenson
Cessna	Nelson	Stoddard
Coburn	Newberry	Taylor
Edwards	Parker	Thompson
Evans	Price	Van Alstine
Fellows	Proudfoot	White
Foskett	Rainbow	Whitmore
Greenell	Ratcliff	Wilson
Hale		

Nays, none.

Absent or not voting, 7.

Arney	Fralley	Meredith
Byington	Kimball	Pitt
Foster		

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

SENATE FILE NO. 373 RE-REFERRED.

On request of Senator Schaffter, Senate File No. 373 was recalled from committee on judiciary No. 1 and referred to committee on departmental affairs.

VOTE ON HOUSE FILE NO. 537 TABLED.

Senator Ratcliff moved that the vote by which House File No. 537 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

REPORT OF COMMITTEE.

Senator Fellows, from the committee on educational institutions, submitted the following report:

MR. PRESIDENT—Your committee on educational institutions, to whom was referred House File No. 257, a bill for an act to repeal sections 2718-c, 2718-d, 2718-e, and 2718-f, supplement to the code, 1913, and to enact substitutes therefor and relating to the required attendance of deaf children and blind children at the respective state schools, and for excuse therefrom, and providing a penalty for failing to comply with the provisions of this act, and appropriating funds for carrying out provisions of this act, including the compensation of agent to enforce provisions of this act, 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 bill do pass.

A. M. FELLOWS, *Chairman*.

The bill was referred to committee on appropriations.

Also:

Your committee on educational institutions, to whom was referred Senate File No. 287, a bill for an act to amend section 2727-3a of the supplement to the code, 1913, providing for the salary of the superintendent of the Iowa School for the Deaf, 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.

Also:

Your committee on educational institutions, to whom was referred Senate File No. 339, a bill for an act to repeal section 2, chapter 168, Acts of the Sixteenth General Assembly, and section 2640-a, Supplement to the Code, 1913; and to authorize and direct the state board of education to establish and maintain a department of homeopathic materia medica and therapeutics in the college of medicine of the State University of Iowa, 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.

Also:

Your committee on educational institutions, to whom was referred Senate File No. 277, a bill for an act to establish a state psychopathic hospital especially designed, equipped and administered for the care, observation and treatment of persons who are afflicted with abnormal mental conditions, 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 bill do pass.

A. M. FELLOWS, *Chairman.*

The bill was referred to committee on appropriations.

Also:

Your committee on educational institutions, to whom was referred Senate File No. 337, a bill for an act to repeal section 2640-a, Supplement to the Code, 1913, relating to the Homeopathic Medical College at the State University, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. M. FELLOWS, *Chairman.*

On motion of Senator Fellows the report of the committee was adopted and the bill indefinitely postponed.

#### INTRODUCTION OF BILLS.

By Senator Wilson, Senate File No. 451, a bill for an act to amend section fifty-one hundred sixty-seven of the Code, relating to the limitation of indictment or prosecution when the defendant is out of the state.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Kingland, Senate File No. 452, a bill for an act to amend the law as it appears in chapter 12, Title III, of the Code and laws amendatory thereto providing for the forms of bonds to be used where public security is required to be given by law or order or judgment of the court and prohibiting the use of forms of bonds prepared for the special benefit or protection of the surety.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Stoddard, Senate File No. 453, a bill for an act to amend Section thirteen hundred and four (1304) of the Supplement to the Code, 1913, relative to exemption of taxation.

Read first and second time and referred to committee on ways and means.

By Senator Stoddard, Senate File No. 454, a bill for an act to amend sections thirteen hundred twenty-two (1322) and thirteen hundred twenty-two, one, a, (1322-1-a) of the Supplement to the Code, 1913, relating to national, state and savings banks, and the assessment and taxation of stock therein.

Read first and second time and referred to committee on ways and means.

By Senator Holdoegel, Senate File No. 455, a bill for an act conferring upon the Executive Council additional powers as a state board of review.

Read first and second time and referred to committee on judiciary No. 2.

#### 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. 215, a bill for an act authorizing cities and towns to erect and equip, or purchase and equip, soldiers' and sailors' memorial buildings, to purchase or condemn necessary grounds therefor, and to issue bonds therefor, and to levy a special tax for the purpose of equi-

dating said bonds, and for the maintenance of such buildings, supplemental to chapter four (4), title five (5), of the code.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 196, a bill for an act to amend section two thousand seven hundred ninety-three (2793) of the supplement to the code, 1913, relating to the changing of boundary lines of contiguous school corporations.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 to amend section fifty-six hundred twenty-six (5626), supplement to the code, 1913, relating to pardons and remission of fines and forfeitures by the governor.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 amend section nineteen hundred eighty-nine-a-three (1989-a-3) of the supplement to the code, 1913, relating to the manner of giving notice to owners, lien holders and encumbrancers of property within a city or town of its inclusion within a proposed drainage district.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 228, a bill for an act to amend section ten hundred ninety-three (1093), Supplemental Supplement to the Code, 1915, relating to election boards when voting machines are used.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has con-

curred in the following concurrent resolution; in which the concurrence of the House was asked:

Senate Concurrent Resolution relating to "The Daylight Saving Law."

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 253, a bill for an act to amend section two hundred fifty-three (253), Supplemental Supplement to the Code, 1915, relating to the salary of judges of the district court and expenses.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 139, a bill for an act relating to stock running at large.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 196, a bill for an act to amend Section Two Thousand Seven Hundred Ninety-three (2793) of the Supplement to the Code, 1913, relating to the changing of boundary lines of contiguous school corporations.

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

House File No. 215, a bill for an act authorizing cities and towns to erect and equip, or purchase and equip, soldiers' sailors' and marines' memorial buildings, to purchase or condemn necessary grounds therefor, and to issue bonds therefor, and to levy a special tax for the purpose of liquidating said bonds, and for the maintenance of such buildings, in case of municipalities, supplemental to chapter four (4), title five (5), of the Code.

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

House File No. 249, a bill for an act to amend section fifty-six hundred twenty-six (5626), supplement to the code, 1913, relating

to pardons and remission of fines and forfeitures by the governor.

Read first and second time and referred to committee on penitentiaries and pardons.

House File No. 293, a bill for an act to amend Section Nineteen Hundred eighty-nine-A Three (1989-A-3) of the Supplement to the Code, 1913, relating to the manner of giving notice to owners, lien holders and encumbrancers of property within a city or town of its inclusion within a proposed drainage district.

Read first and second time and referred to committee on judiciary No. 1.

#### HOUSE AMENDMENT CONCURRED IN.

Senator Foskett called up Senate File No. 253 amended by the House, and moved that the Senate concur in the following House amendment:

By striking out all after the enacting clause and substituting in lieu thereof the following:

SECTION 1. That the law as it appears in Section two hundred fifty-three (253), supplemental supplement to the code, 1915, as amended by chapter two hundred thirty-five (235), acts of the Thirty-seventh General Assembly, be and the same is hereby amended by striking out of lines seven (7) and eight (8) of said section two hundred fifty-three (253) the words "not exceeding in all two hundred dollars (\$200.00) per year."

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 the Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 38.

Adams	Haskell	FeeJ
Anderson	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimberly	Shane
Broxam	Kingland	Smith
Buser	LeCompte	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Newberry	Taylor
Evans	Parker	Van Alstine
Fellows	Pitt	White
Foskett	Proudfoot	Whitmore
Greenell	Rainbow	Wilson
Hale	Ratcliff	



Nays, none.

Absent or not voting, 12.

Arney  
Balkema  
Byington  
Cessna

Foster  
Fralley  
Kimball  
Meredith

Nelson  
Price  
Scott  
Thompson

The House amendment having received a constitutional majority was declared to have been concurred in by the Senate.

On motion of Senator Parker, Senate adjourned until 9:30 a. m., Monday, March 17th.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 17, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. W. Ernest Stockley, rector of Grace Church of Lyons.

On motion of Senator Rule, rule 33 was suspended for the day.

## PETITIONS AND MEMORIALS.

Senator Byington presented a remonstrance of citizens of Johnson county against bond issue for paved roads.

Referred to committee on highways.

Senator Greenell presented a remonstrance of citizens of Clinton against the public utilities bill.

Referred to committee on public utilities.

Senator Smith presented a remonstrance of citizens of Madison county against bond issue for paved roads.

Referred to committee on highways.

Senator Anderson presented a remonstrance of citizens of Carroll county against the Dean language bill.

Referred to committee on schools.

Senator Foster presented remonstrances of citizens of Guthrie county against bond issue for paved roads.

Referred to committee on highways.

## LEAVE OF ABSENCE.

On request of Senator Arney leave of absence was granted Senator Stoddard for the day.

On request of Senator Hale leave of absence was granted Senator Reed for the day.

On request of Senator Anderson leave of absence was granted Senator Frailey for the day.

## BILL SIGNED BY THE GOVERNOR.

A communication was received from the governor saying that he had on March 14, 1919, approved and signed Senate File No. 407.

## INTRODUCTION OF BILLS.

By Senator Stoddard, Senate File No. 456, a bill for an act granting additional powers to cities and municipalities and to the Board of Health in cities and municipalities.

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

By Senator Scott, Senate File No. 457, a bill for an act to legalize the action and acts of the County Superintendent of Floyd County, Iowa, and of the board of directors and officers of the School Township of Union, in the County of Floyd, State of Iowa, preliminary to, and in connection with, a special election held on the 14th day of March, 1919, whereat there was submitted to the voters residing in or upon Sections seven, eight, nine, ten, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three and thirty-four, all in Township ninety-four North, Range seventeen West of the fifth Principal Meridian, within Union Township, Floyd County, Iowa, the question of the establishment of a consolidated independent school district comprising the said sections of land, to be known as Consolidated Independent School District of Marble Rock, in the County of Floyd, State of Iowa; and to legalize the said special election and all acts and proceedings leading up to and resulting in, the formation and establishment of said consolidated independent school district, and to validate and establish the formation of the said consolidated school district.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Proudfoot, Senate File No. 458, a bill for an act to amend the law as it appears in Section Eighteen hundred thirty-nine-j (1839-j), supplement to the code, 1913, relating to fraternal beneficiary societies.

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

#### REPORTS OF COMMITTEES.

Senator Proudfoot, from the committee on judiciary No. 2, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 2, to whom was referred Senate File No. 247, a bill for an act to require bills having for their purpose the modification or amendment of existing statutes, to be so framed as to contain in full the new statute as modified, etc., beg leave to report they have had the same under consideration and recommend the same be referred to judiciary No. 1.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot the report was adopted and the bill was referred to committee on judiciary No. 1.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 400, a bill for an act relating to legalizing certain acknowledgments and administrations of oaths, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred House File No. 234, a bill for an act to amend the law as it appears in section 5464 of the code, relating to judgments of the supreme court in criminal cases, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 392, a bill for an act to amend section 4913-a, supplement to the code, 1913, in re state institutions, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 351, a bill for an act to amend the law as it appears in section 3197 of the code, relating to the giving of bonds by guardians, and providing for the amount and approval of the same, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 440, a bill for an act to convey to James M. Peden the title of the state of Iowa to the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of section 11, township 70, north, range 13, west of the 5th p. m., beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 306, a bill for an act providing for absolute and incontestible title to real estate, specifying the exceptions thereto, and fixing a method for preserving rights claimed in real estate by notice, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 320, a bill for an act to legalize certain warrants of the city of Burlington, Iowa, and the issuance and sale of negotiable bonds funding said

warrants, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 320, a bill for an act to amend the law as it appears in section 1889-1 of the supplement to the code, 1913, relating to powers conferred upon trust companies, state and savings banks, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 249, a bill for an act to amend chapter five (5), title sixteen (16) of the code, relating to the guardianship of persons and property, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 24, a bill for an act to amend section 254-a-2, supplemental supplement to the code, 1915, relating to the compensation of shorthand reporters of the district courts, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

The report was rejected and the bill ordered placed on the calendar.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 234, a bill for an act creating a vendor's lien on tools, implements, machinery, vehicles or other farm equipment used in the production, preparation, harvesting or marketing of farm crops or farm products, and providing for the filing and enforcement of same; requiring notice of any such unsatisfied lien to be given a prospective purchaser or lien holder, and fixing a penalty for the failure of the owner to give such no-

tice, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot the report of the committee was adopted and the bill indefinitely postponed.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred House File No. 103, a bill for an act to amend section twenty-seven hundred ninety-four-a (2794-a) supplemental supplement to the Code, 1915, relating to the school taxes levied for general fund, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Also:

Your committee on public schools to whom was referred House File No. 85, a bill for an act requiring the teaching of a course of study in citizenship and patriotism in the public and private schools located within the state of Iowa and providing for an outline of such course, 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 all after the enacting clause and insert in lieu thereof the following:

SECTION 1. All public, private and parochial schools located within the state of Iowa shall be required to teach American history and civics of the state and nation.

SEC. 2. The superintendent of public instruction shall prepare and distribute to all elementary schools, outlines of courses of study in American history and civics of the state and nation for all grades from five to eight inclusive, and where junior high schools are maintained, in all grades from five to nine, inclusive.

SEC. 3. Public, private and parochial high schools, academies and other institutions ranking as secondary schools which maintain three year courses of instruction shall offer a minimum of instruction in American history and civics of the state and nation to the extent of two semesters and schools of this class which have four year courses shall offer in addition, one semester in social problems or economics.

SEC. 4. The superintendent of public instruction shall distribute to all high schools, academies and institutions ranking as secondary schools,

an outline of a course of study in American history, civics of the state and nation, social problems and economics prepared under his direction.

SEC. 5. It is hereby made the duty of all school officers and teachers of Iowa to foster and promote and growth of American patriotism in the public, private and parochial schools. To that end teachers are required to emphasize American ideals in correlation with the teaching of reading, history, geography and civics, paying particular attention to instruction in the history of Iowa and its great citizens, and to conduct opening exercises of a patriotic nature at least once each week, also to plan and carry out programs of an educational and inspirational nature twice each school year. The Friday preceding November 11th of each year shall, by proclamation of the Governor and the superintendent of public instruction, be set aside as "Peace Day" and observed by all schools in session. On said day a program shall be given for the purpose of placing special emphasis on the history of Iowa and America, and of their great citizens, to which program each school shall devote not less than one-fourth day.

It is hereby made the duty of the superintendent of public instruction to prepare and distribute sixty days prior to the day thus set aside, such special bulletins and programs as he may deem suitable for use on such occasions, and shall call the special attention of all school authorities to the above provisions.

Also strike out the title and insert in lieu thereof the following:

A bill for an act requiring the teaching of American history and civics in the public, private and parochial schools located within the state of Iowa, and providing for an outline of such courses.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

### THIRD READING OF BILLS.

On motion of Senator Arney, Senate File No. 133, a bill for an act for the remission of taxes for any institution organized by private parties or under the terms of any will for the care and custody of public charges, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by adding the word and figure "section 1" immediately after the enacting clause.

By striking out the word "satisfied" in the 19th line of section 1 of said bill and substituting in lieu thereof the word "found".

By striking out the period (.) at the end of the 17th line of section 1 and substitute a semicolon (;) and add the following: "Then the board



of control shall certify their finding in said matter to the board of supervisors of the county in which such institution is situated and said board of supervisors shall be authorized and empowered to remit and discharge such tax levies on said property as they shall deem best; but the levies for road purposes and special assessments must be made."

Senator Arney 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 vote was:

Ayes, 38.

Anderson	Greenell	Price
Arney	Hale	Rainbow
Balkema	Haskell	Ratcliff
Brookhart	Holdoegel	Rule
Broxam	Kimball	Scott
Buser	Kingland	Shane
Byington	LeCompte	Smith
Cessna	Meredith	Stephenson
Coburn	Mitchell	Taylor
Edwards	Nelson	Van Alstine
Fellows	Newberry	White
Foskett	Parker	Whitmore
Foster	Pitt	

Nays, none.

Absent or not voting, 12.

Adams	Horchem	Schaffter
Ball	Kimberly	Stoddard
Evans	Proudfoot	Thompson
Fralley	Reed	Wilson

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. 195, a bill for an act to repeal section twenty-four hundred one-c (2401-c), supplement to the code, 1913, and enact a substitute therefor providing for the shipment of intoxicating liquors under the provisions of the wholesale drug act, and providing that said liquors shall be shipped separately from any other merchandise, and providing how said liquors shall be labeled when so shipped, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Taylor moved that the rules be suspended, the bill be con-

sidered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35.

Adams	Kimball	Rule
Anderson	Kingland	Schaffter
Arney	LeCompte	Scott
Balkema	Meredith	Shane
Brookhart	Mitchell	Smith
Buser	Nelson	Stephenson
Byington	Newberry	Taylor
Cessna	Parker	Van Alstine
Edwards	Price	White
Fellows	Proudfoot	Whitmore
Foster	Rainbow	Wilson
Haskell	Ratcliff	

Nays, none.

Absent or not voting, 15.

Baß	Frailey	Kimberly
Broxam	Greenell	Price
Coburn	Hale	Reed
Evans	Holdoegel	Stoddard
Foskett	Horchem	Thompson

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

#### SENATE FILE NO. 361 RE-REFERRED.

On motion of Senator Balkema, Senate File No. 361 was referred to committee on commerce and trade.

#### THIRD READING OF BILLS.

On motion of Senator Coburn, House File No. 165, a bill for an act to amend the law as it appears in paragraph three (3), section thirteen hundred and four (1304) code, 1897, relating to assessment of taxes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Parker, the following amendments were adopted:

Amend title by inserting before the word "code" in the third line, the words "of the" and striking out the figures "1897" following the word "code".

Amend Section 1, by inserting before the word "code" in the third line, the words "of the" and striking out the figures "1897" following the word "code".

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 32.

Adams	Fellows	Parker
Anderson	Foskett	Proudfoot
Arney	Greenell	Rainbow
Balkema	Hale	Ratcliff
Brookhart	Haskell	Rule
Broxam	Holdoegel	Schaffter
Buser	Kimball	Smith
Byington	Kingland	Stephenson
Cessna	Meredith	White
Coburn	Mitchell	Whitmore
Edwards	Newberry	

Nays, 2.

Price	Wilson
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Absent or not voting, 16.

Ball	LeCompte	Shane
Evans	Nelson	Stoddard
Foster	Pitt	Taylor
Fralley	Reed	Thompson
Horchem	Scott	Van Alstine
Kimberly		

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 Foster, Senate File No. 263, a bill for an act to prohibit the receiving of commissions, etc., for organizing a bank or securing subscriptions to stock, 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 by inserting before the word "bonus" in line four the word "or" and by striking out of same line the comma after the word "bonus" and the words "right or privilege".

The amendment was adopted.

The bill was read for information.

Senator Foster 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 vote was:

Ayes, 36.

Adams	Greenell	Rateliff
Anderson	Hale	Rule
Arney	Haskell	Schaffter
Balkema	Holdoegei	Scott
Broxam	Kimball	Shane
Buser	Mitchell	Smith
Byington	Newberry	Stephenson
Cessna	Parker	Taylor
Edwards	Pitt	Van Alstine
Fellows	Price	White
Foskett	Proudfoot	Whitmore
Foster	Rainbow	Wilson

Nays, 1.

Meredith

Absent or not voting, 13.

Ball	Horchem	Nelson
Brookhart	Kimberly	Reed
Coburn	Kingland	Stoddard
Evans	LeCompte	Thompson
Fralley		

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 Coburn, Senate File No. 103, a bill for an act to authorize the paving by the state of Iowa of the public highway along the south side of the property owned by the state in connection with the Hospital for Insane at Cherokee, Iowa, 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 Arney was called to the chair at 10:50

The following committee amendments were adopted:

Amend section 2 by striking out the period (".") at the end thereof and inserting a comma (",") and adding thereto the following:

"provided that as a prerequisite to the ordering of said improvements the abutting property owners and city of Cherokee shall have taken the proper steps, under the statutes of Iowa, to assure the payment by said property owners and city of Cherokee of that part of the costs of the said improvements which can legally be assessed against said property owners and city."

Amend section 3 by inserting after the word "improvement" in line two (2) of said section the following:

"not borne by the abutting property owner and the city of Cherokee" and by striking out from lines two and three of said section 3 the words and figures "forty thousand dollars (\$40,000.00)" and by inserting in lieu thereof the words and figures "thirty-seven thousand dollars (\$37,000.00)".

Senator Coburn 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.

President Moore resumed the chair at 10:55.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36.

Adams	Hale	Price
Anderson	Haskell	Proudfoot
Arney	Holdoegel	Rainbow
Balkema	Horchem	Ratcliff
Brookhart	Kingland	Rule
Buser	LeCompte	Schaffter
Byington	Meredith	Shane
Coburn	Mitchell	Smith
Edwards	Nelson	Stephenson
Fellows	Newberry	White
Foskett	Parker	Whitmore
Greenell	Pitt	Wilson

Nays, none.

Absent or not voting, 14.

Ball	Fralley	Stoddard
Broxam	Kimball	Taylor
Cessna	Kimberly	Thompson
Evans	Reed	Van Alstine
Foster	Scott	

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. 127, a bill for an act providing for a transcript of any conveyance executed by any executor, administrator, guardian or trustee, which has been recorded in the office of the clerk of the District or Circuit Courts of the State of Iowa, and for filing and recording same in the office of the county recorder, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent, on request of Senator Kingland, the word "twenty" was struck out of line 6 and the word "ten" inserted in lieu thereof.

Senator Smith 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 vote was:

Ayes, 39.

Adams	Holdoegel	Ratcliff
Anderson	Horchem	Rule
Arney	Kingland	Schaffter
Broxam	LeCompte	Scott
Buser	Meredith	Shane
Byington	Mitchell	Smith
Cessna	Nelson	Stephenson
Coburn	Newberry	Taylor
Edwards	Parker	Van Alstine
Evans	Pitt	White
Fellows	Price	Whitmore
Greenell	Proudfoot	Wilson
Hale	Rainbow	
Haskell		

Nays, none.

Absent or not voting, 11.

Balkema	Foster	Reed
Ball	Fralley	Stoddard
Brookhart	Kimball	Thompson
Foskett	Kimberly	

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 Buser, Senate File No. 74, a bill for an act providing for the issuance of licenses by the State Game

and Fish Commission to those desiring to catch or kill mussels for commercial purposes. Regulating and providing the manner in which mussels shall be caught or killed and providing for the opening or closing of certain streams in Iowa for the purpose of catching mussels, returned by committee without recommendation, was taken up and considered.

Senator Buser 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 vote was:

Ayes, 27.

Adams	Edwards	Parker
Anderson	Evans	Rainbow
Arney	Foskett	Schaffter
Brookhart	Holdoegel	Smith
Broxam	Horchem	Stephenson
Buser	Kingland	Taylor
Byington	Meredith	Van Alstine
Cessna	Mitchell	Whitmore
Coburn	Nelson	Wilson

Nays, 12.

Fellows	Pitt	Rule
Hale	Price	Scott
Haskell	Proudfoot	Shane
Newberry	Ratcliff	White

Absent or not voting, 11.

Balkema	Greenell	Reed
Ball	Kimball	Stoddard
Foster	Kimberly	Thompson
Fralley	LeCompte	

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 Schaffter, Senate File No. 158, a bill for an act to amend section two thousand seven hundred twenty-seven three-a (2727-3a) of the supplement to the code, 1913, providing for salaries of chief executives of certain state institutions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schaffter offered the following amendment and moved its adoption:

Amend by adding the following section:

Sec. 2. That Section 2727-3a be further amended by striking out in line one and two the words "eighteen hundred ninety-eight" and substituting in lieu thereof the words "nineteen hundred and nineteen".

The amendment was adopted.

Senator Schaffter 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 vote was:

Ayes, 33.

Adams	Hale	Ratcliff
Anderson	Haskell	Rule
Arney	Holdoegel	Schaffter
Balkema	Horchem	Scott
Byington	LeCompte	Shane
Coburn	Meredith	Stephenson
Edwards	Mitchell	Taylor
Evans	Newberry	Van Alstine
Fellows	Parker	White
Foskett	Price	Whitmore
Greenell	Proudfoot	Wilson

Nays, 4.

Buser	Nelson	Pitt
Kingland		

Absent or not voting, 13.

Ball	Fralley	Reed
Brookhart	Kimball	Smith
Broxam	Kimberly	Stoddard
Cessna	Rainbow	Thompson
Foster		

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 Rainbow, Senator File No. 157, a bill for an act to amend chapter three hundred ninety-six (396) of the acts of the Thirty-seventh General Assembly, relating to the trapping of fur bearing animals, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee was adopted.

The following committee amendment was adopted:



Amend by striking all after the enacting clause, and substitute the following:

SECTION 1. That the law as it appears in chapter three hundred ninety-six (396) of the acts of the thirty-seventh general assembly be and the same is hereby amended by inserting after the comma following the word "following" in the sixth line, these words: "or any skunk or raccoon between the first day of March and the first day of November following."

By unanimous consent, on request of Senator Balkema, the word "sixth" was changed to "fifth" in line 5 of Section 1.

Senator Rainbow 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 vote was:

Ayes, 38.

Adams	Greenell	Proudfoot
Anderson	Hale	Rainbow
Arney	Haskell	Ratcliff
Brookhart	Holdoegel	Rule
Broxam	Horchem	Schaffter
Buser	Kingland	Scott
Byington	LeCompte	Shane
Coburn	Meredith	Stephenson
Edwards	Mitchell	Van Aistine
Evans	Newberry	White
Fellows	Parker	Whitmore
Foskett	Pitt	Wilson
Foster	Price	

Nays, none.

Absent or not voting, 12.

Balkema	Kimball	Smith
Ball	Kimberly	Stoddard
Cessna	Nelson	Taylor
Fralley	Reed	Thompson

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. 167, a bill for an act to amend the law as it appears in section two thousand two hundred thirty-eight (2238) of the code of 1897, giving to the Board of Supervisors authority to provide dental attendance and services

for the poor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent the word and figures "of 1897" were stricken from line 2 of the title, and the figures "1897" were stricken from line 3 of section 1.

Senator Arney 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 vote was?

Ayes, 36.

Adams	Greenell	Proudfoot
Anderson	Hale	Rainbow
Arney	Haskell	Ratcliff
Balkema	Horchem	Rule
Broxam	Kingland	Schaffter
Buser	LeCompte	Scott
Byington	Meredith	Shane
Cessna	Mitchell	Taylor
Coburn	Nelson	Van Alstine
Edwards	Newberry	White
Evans	Parker	Whitmore
Fellows	Pitt	Wilson

Nays, none.

Absent or not voting, 14.

Ball	Holdoegel	Smith
Brookhart	Kimball	Stephenson
Foskett	Kimberly	Stoddard
Foster	Price	Thompson
Frailey	Reed	

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. 192, a bill for an act to provide for purchasing additional land for the Iowa State Fair, and for paying, paving and curbing assessment against the Iowa State Fair Ground and to make appropriations therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Arney 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 vote was:

Ayes, 35.

Adams	Greenell	Proudfoot
Anderson	Hale	Rainbow
Arney	Haskell	Ratcliff
Balkema	Holdoegel	Rule
Brookhart	Horchem	Schaffter
Broxam	Kingland	Scott
Byington	Meredith	Shane
Coburn	Mitchell	Stephenson
Edwards	Newberry	Taylor
Evans	Parker	Whitmore
Fellows	Pitt	Wilson
Poster	Price	

Nays, none.

Absent or not voting, 15.

Ball	Kimball	Smith
Buser	Kimberly	Stoddard
Cessna	LeCompte	Thompson
Foskett	Nelson	Van Alstine
Fralley	Reed	White

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. 193, a bill for an act to provide for the construction of a cattle barn and sale pavilion on the Iowa State Fair Grounds and to make an appropriation therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Anderson moved the previous question, which motion prevailed and the previous question was ordered.

Senator Arney moved that the rules be suspended, the bill be considered engrossed, the reading just had to be considered the third reading, which motion prevailed.

Senator Arney invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 29.

Adams	Balkema	Coburn
Anderson	Brookhart	Edwards
Arney	Byington	Evans

Fellows	Newberry	Smith
Greenell	Parker	Stephenson
Hale	Pitt	Taylor
Holdoegel	Proudfoot	Van Alstine
Horchem	Ratcliff	White
Kimball	Schaffter	Whitmore
Meredith	Scott	

## Nays, 13.

Buser	LeCompte	Rainbow
Cessna	Mitchell	Rule
Foskett	Nelson	Shane
Haskell	Price	Wilson
Kingland		

## Absent or not voting, 8.

Ball	Frailey	Stoddard
Broxam	Kimberly	Thompson
Foster	Reed	

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 Whitmore, Senate adjourned until 1:30 p. m. today.

## AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

## LEAVE OF ABSENCE.

On request of Senator Evans, leave of absence was granted Senator Holdoegel for the day.

## SPECIAL ORDER.

On motion of Senator Mitchell, Senate File No. 229 was made a special order for Saturday, March 22d, at 10:00 a. m.

## THIRD READING OF BILLS.

On motion of Senator Arney, Senate File No. 294, a bill for an act to amend section two thousand six hundred four (2604), supplemental supplement to the code, 1915, relating to salary of Commandant of Soldiers' Home, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Arney 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 vote was:

Ayes, 22.

Anderson	Hale	Ratcliff
Balkema	Haskell	Schaffter
Ball	Meredith	Shane
Byington	Mitchell	Van Alstine
Coburn	Parke	White
Edwards	Proudfoot	Whitmore
Foskett	Rainbow	Wilson
Greenell		

Nays, 9.

Arney	Nelson	Rule
Buser	Pitt	Scott
Kingland	Price	Stephenson

Absent or not voting, 19.

Adams	Frailey	Newberry
Brookhart	Holdoegel	Reed
Broxam	Horchem	Smith
Cessna	Kimball	Stoddard
Evans	Kimberly	Taylor
Fellows	LeCompte	Thompson
Foster		

So the bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Rule, Senate File No. 327, a bill for an act to amend section three hundred thirteen (313), supplement to the code, 1913, relating to the admissions to the Bar of Practitioners from other states, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rule 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 vote was:

Ayes, 35.

Adams	Balkema	Buser
Anderson	Ball	Byington
Arney	Broxam	Coburn

Edwards	Nelson	Scott
Fellows	Parker	Shane
Greenell	Pitt	Stephenson
Hale	Price	Taylor
Haskell	Proudfoot	Van Alstine
Horchem	Rainbow	White
Kingland	Ratcliff	Whitman
Meredith	Rule	Wilson
Mitchell	Schaffter	

Nays, none.

Absent or not voting, 15.

Brookhart	Frailey	Newberry
Cessna	Holdoegel	Reed
Evans	Kimball	Smith
Foskett	Kimberly	Stoddard
Foster	LeCompte	Thompson

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 Schaffter, Senate File No. 342, a bill for an act limiting the time within which actions may be brought to set aside, cancel, annul, declare void or invalid certain conveyances by counties, and declaring such conveyances and all proceedings upon which they are based conclusively presumed to be in all things valid and unimpeachable and effective to convey title according to the purport thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent, on request of Senator Schaffter, the word "not" was inserted following the word "officer" in line 16 of Section 1.

Senator Schaffter 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 vote was:

Ayes, 40.

Adams	Buser	Haskell
Anderson	Byington	Horchem
Arney	Coburn	Kimball
Balkema	Edwards	Kingland
Ball	Fellows	LeCompte
Brookhart	Greenell	Meredith
Broxam	Hale	Mitchell

Nelson	Ratcliff	Stephenson
Newberry	Rule	Taylor
Parker	Schaffter	Van Alstine
Pitt	Scott	White
Price	Shane	Whitmore
Proudfoot	Smith	Wilson
Rainbow		

Nays, none.

Absent or not voting, 10.

Cessna	Fralley	Reed
Evans	Holdoegel	Stoddard
Foskett	Kimberly	Thompson
Foster		

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. 420, a bill for an act to amend chapter four hundred and one (401), of the Laws of the Thirty-seventh General Assembly and relating to filling vacancies in the office of Senator in the Congress of the United States, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

On motion of Senator Kimball, further action was deferred until tomorrow morning.

On motion of Senator Kimball, Senate File No. 287, a bill for an act to amend section two thousand seven hundred twenty-seven three a (2727-3a) of the supplement to the code, 1913, providing for the salary of the Superintendent of the Iowa School for the Deaf, with report of committee recommending passage, was taken up, considered, and the report of the committee 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 vote was:

Ayes, 33.

Anderson	Broxam	Foskett
Arney	Byington	Greenell
Balkema	Edwards	Hale
Ball	Evans	Haskell
Brookhart	Fellows	Horchem

Kimball  
Kingland  
Meredith  
Mitchell  
Nelson  
Newberry

Parker  
Proudfoot  
Rainbow  
Ratcliff  
Scott  
Shane

Stephenson  
Taylor  
Van Alstine  
White  
Whitmore  
Wilson

Nays, 1.

Rule

Absent or not voting, 16.

Adams  
Buser  
Cessna  
Coburn  
Foster  
Fralley

Holdoegel  
Kimberly  
LeCompte  
Pitt  
Price  
Reed

Schaffter  
Smith  
Stoddard  
Thompson

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 Byington, Senate File No. 339, a bill for an act to repeal section 2, chapter 168, acts of the Sixteenth General Assembly, and section 2640-a, supplement to the code, 1913; and to authorize and direct the state board of education to establish and maintain a department of homeopathic materia medica and therapeutics in the college of medicine of the state university of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Byington 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 vote was:

Ayes, 35.

Adams  
Anderson  
Arney  
Ball  
Brookhart  
Broxam  
Buser  
Byington  
Cessna  
Coburn  
Edwards  
Evans

Fellows  
Foskett  
Haie  
Haskell  
Horchem  
Kimball  
Kingland  
Mitchell  
Nelson  
Newberry  
Pitt  
Parker

Price  
Proudfoot  
Rainbow  
Ratcliff  
Rule  
Scott  
Shane  
Stephenson  
White  
Whitmore  
Wilson



Nays, none.

Absent or not voting, 15.

Balkema	Kimberly	Smith
Foster	LeCompte	Stoddard
Fralley	Meredith	Taylor
Greenell	Reed	Thompson
Holdoegel	Schaffter	Van Alstine

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 Parker, House File No. 110, a bill for an act to amend section ten (10) of Chapter Two Hundred Ninety (290) of the acts of the Thirty-seventh (37th) General Assembly; and appropriating money for the expenditures of the State Board for vocational education, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 40.

Adams	Greenell	Price
Anderson	Hale	Proudfoot
Arney	Haskell	Rainbow
Balkema	Horchem	Ratcliff
Ball	Kimball	Rule
Brookhart	Kingland	Scott
Buser	LeCompte	Shane
Byington	Meredith	Smith
Coburn	Mitchell	Stephenson
Edwards	Nelson	Taylor
Evans	Newberry	White
Fellows	Parker	Whitacre
Foskett	Pitt	Wilson
Foster		

Nays, none.

Absent or not voting, 10.

Broxam	Kimberly	Stoddard
Cessna	Reed	Thompson
Fralley	Shaffter	Van Alstine
Holdoegel		

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. 168, a bill for an act to amend the law as it appears in section six hundred ninety-four-C1 (694-C 1), supplemental supplement to the Code, 1915, relating to Municipal Courts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

On motion of Senator Wilson the bill was re-referred to committee on judiciary No. 1.

On motion of Senator Hale, House File No. 218, a bill for an act to amend section four thousand eight hundred and ninety seven-a (4897-a) of the supplement of the code, 1913, relating to the escape of persons committed to the penitentiary or reformatory and providing the jurisdiction of an indictment for the crime of escaping from such prison, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was :

Ayes, 39.

Adams	Foskett	Pitt
Anderson	Foster	Price
Arney	Hale	Proudfoot
Ball	Haskell	Rainbow
Brookhart	Horchens	Ratcliff
Broxam	Kimball	Rule
Buser	Kingland	Scott
Byington	LeCompte	Shane
Cessna	Meredith	Stephenson
Coburn	Mitchell	Taylor
Edwards	Nelson	White
Evans	Newberry	Whitmore
Fellows	Parker	Wilson

Nays, none.

Absent or not voting, 11.

Balkema	Kimberly	Stoddard
Frailey	Reed	Thompson
Greenell	Schaffter	Van Alstine
Holdoegel	Smith	

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

#### CONCURRENT RESOLUTION.

Senator Haskell offered the following resolution and moved its adoption:

*Be It Resolved by the Senate of the Thirty-eighth (38) General Assembly of Iowa, the House concurring, that the Honorable Albert B. Cummins, Senior United States Senator from Iowa, be and is hereby extended an invitation to address the joint session of the Iowa Legislature in the House at 2:30 P. M. on Thursday, March 20th.*

By unanimous consent the resolution was taken up, considered and adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 the following bills:

House File No. 65, a bill for an act to amend chapter three hundred thirty-two (332) of the acts of the thirty-seventh general assembly, relating to the purchase of real estate for county purposes.

Also:

House File No. 187, a bill for an act to amend section two thousand seven hundred twenty-seven-3a (2727-3a), supplement to the code, 1913, relative to the salary of the chief executive officer of the institution for the feeble minded children at Glenwood.

Also:

House File No. 265, a bill for an act to amend the law as it appears in section twenty-six hundred eighty-two-m (2682-m), supplement to the code, 1913, relating to the mileage paid to members of the Iowa State Board of Education.

Also:

House File No. 232, a bill for an act to provide free hospital service and medical and surgical treatment for persons who are afflicted with a malady or deformity which can probably be remedied by such service and treatment, and who are unable to pay for the same; providing for

the expense thereof; and prescribing the jurisdiction of the district and superior courts in said cases.

Also:

House File No. 66, a bill for an act to amend section nine (9) of chapter three hundred eighty-six (386) of the acts of the thirty-seventh general assembly, relative to estimate for general fund of school corporations.

Also:

House File No. 53, a bill for an act amending section four hundred twenty-three (423) of the supplemental supplement to the code, 1915, relative to the expenditures for improvements by the county boards of supervisors.

Also:

House File No. 111, a bill for an act to amend the law as it appears in section one (1), chapter one hundred fifty-six (156) of the acts of the thirty-seventh general assembly, relating to high school tuition for non-resident pupils in approved schools.

Also:

House File No. 537, a bill for an act to repeal House File No. 17 of the acts of the thirty-eighth general assembly and to enact a substitute therefor to provide for the recording of discharge papers of discharged soldiers, sailors and marines.

Also:

House File No. 269, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-a forty-one (1989-a41), supplement to the code, 1913, relating to fees paid appraisers of damages and commissioners to assess benefits.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

#### SENATE FILE NO. 209 RECALLED FROM HOUSE.

Senator Hale moved that the House be requested to return Senate File No. 209.

The motion prevailed.

#### BILLS SIGNED BY THE PRESIDENT.

The President announced that as President of the Senate, in the presence of the Senate, he had signed Senate Files Nos. 228, 253 and House Files Nos. 232, 265, 187, 65, 269, 537, 111, 53 and 66.

## INTRODUCTION OF BILLS.

By Senator Rule, Senate File No. 459, a bill for an act amending section nine (9), Chapter Three hundred fourteen (314) Acts of the Thirty Seventh General Assembly, relating to Militia allowances and the Military Code of Iowa.

Read first and second time and referred to committee on military affairs.

By Senator Haskell, Senate File No. 460, a bill for an act to amend section four hundred seventeen (417) of the code, 1897, relating to the formation of supervisor districts and election of supervisors.

Read first and second time and referred to committee on county and township affairs.

By Senator Greenell, by request, Senate File No. 461, a bill for an act to amend Section twelve (12), Supplement to the Code, 1913, fixing the compensation of members of the General Assembly.

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

By Senator Greenell, by request, Senate File No. 462, a bill for an act amending sections two hundred fifty four-a-eighteen (254-a18) and two hundred fifty four-a-twenty nine (254-a29) supplement to the code, 1913, relating to probation officers and detention homes.

Read first and second time and referred to committee on judiciary No. 2.

By Senator Greenell, by request, Senate File No. 463, a bill for an act to add to Section four hundred thirty-two (432) of the Code, 1897, relating to the Soldiers' relief commission by providing a compensation to be paid the members of said commission.

Read first and second time and referred to committee on military affairs.

By Senator Parker, Senate File No. 464, a bill for an act to repeal Section forty-eight hundred fifty-two (4852) of the Code, and to enact a substitute therefor, relating to the selling or con-

cealing of mortgaged personal property or property sold under a conditional bill of sale.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Buser, by request, Senate File No. 465, a bill for an act to amend an act of the Thirtieth General Assembly, being Sections nineteen hundred eighty-nine-a1 (1989-a1) to nineteen hundred eighty-nine-a56 (1989-a56) Supplement to the Code, 1913, and amendments thereto. That Chapter sixty-eight (68) of the acts of the Thirtieth General Assembly, as amended and as set out in Sections nineteen hundred eighty-nine-a1 (1989-a1) to nineteen hundred eighty-nine-a56 (1989-a56), Supplement to the Code, 1913, and being an act to promote public health, convenience, welfare, etc., be amended by adding thereto the following sections:

Read first and second time and referred to committee on county and township affairs.

By Senator LeCompte, Senate File No. 466, a bill for an act to amend section twenty-one hundred sixteen (2116) of the supplement to the code, 1913, relating to the duty of railroads to provide passenger service, and the powers of the board of railroad commissioners with reference thereto.

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

By Senator Evans, Senate File No. 467, a bill for an act to authorize and empower the board of control to erect, maintain and establish Portland Cement Plants, to condemn and take over, for and in the name of the state any lands, buildings or existing cement plants and stating the purpose for which the product of said plant may be used.

Read first and second time and referred to committee on board of control.

By Senator Evans, Senate File No. 468, a bill for an act defining stock yards, providing for the regulation and control of same, giving state railway commission jurisdiction to regulate the service, tolls and charges thereof, providing penalties, and declaring such stock yards common carriers and repealing all statutes inconsistent herewith.

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

By Senator Fellows, Senate File No. 469, a bill for an act to amend the law as it appears in section one (1), Chapter two hundred fourteen (214), Acts of the Thirty-seventh General Assembly; and to provide that certain children may be admitted to the Hospital of the College of Medicine of the State University who are not committed under the provisions of Section 254-c, Section 254-d, and Section 254-k, Supplemental Supplement to the Code, 1915.

Read first and second time and referred to committee on educational institutions.

By Senator Horchem, Senate File No. 470, a bill for an act to promote the child-life of urban communities by providing suitable outdoor diversion, physical and moral training, wholesome and productive employment of a voluntary character; empowering the Board of Directors of any public school of any city, town or village in the State of Iowa, to plan and provide for such diversion, training and employment, and authorizing such board to use a portion of the school fund under its control in financing any such plan so proposed.

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

By Senator Ratcliff, Senate File No. 471, a bill for an act providing for limitation of expenses of life insurance corporations.

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

By Senator Ratcliff, Senate File No. 472, a bill for an act to amend Section One Thousand Three Hundred Four (1304), Supplemental Supplement to the Code, 1915, relating to property exempt from taxation.

Read first and second time and referred to committee on banks and banking.

By Senator Van Alstine, Senate File No. 473, a bill for an act to limit the time for commencing actions to recover real estate or any interest therein or to foreclose, establish or enforce any mortgage, lien, encumbrance or other charges thereon from or against any person in actual possession of such real estate and who holds a

record title thereto to ten years from the date the cause of action accrued in all cases in which the record title of such person in actual or constructive possession is or purports to be supported by or to be released from any mortgages, liens, charges or encumbrances thereon by any of the instruments, deeds, conveyances, wills, mortgages, contracts, assignments, releases, judgments, orders, decrees, records, proceedings or other matters herein mentioned and fixing the time when such actions shall be deemed to have accrued.

Read first and second time and referred to committee on judiciary No. 1.

By Senator Kimball, Senate File No. 474, a bill for an act requiring the Board of Supervisors to locate a highway extending from any highway located in a city and returning to the same by the same or different way.

Read first and second time and referred to committee on county and township affairs.

#### SPECIAL ORDER.

On motion of Senator Buser, Senate File No. 128 was made a special order for Thursday, March 20th, at 10:00 a. m.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 253, a bill for an act to amend Section Two Hundred Fifty-three (253) Supplemental Supplement to the Code, 1915, relating to the salary of Judges of the District Court and expenses.

Also:

Senate File No. 228, a bill for an act to amend section ten hundred ninety-three (1093) Supplemental Supplement to the Code, 1915, relating to election boards when voting machines are used.

EUGENE SCHAFFTER, *Chairman.*

Adopted.



## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 253, a bill for an act to amend Section Two Hundred Fifty-three (253) Supplemental Supplement to the Code, 1915, relating to the salary of Judges of the District Court and expenses.

Also:

Senate File No. 228, a bill for an act to amend section ten hundred ninety three (1093) Supplemental Supplement to the Code, 1915, relating to election boards when voting machines are used.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

## REPORT OF COMMITTEE.

Senator Parker, 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. 271, a bill for an act to amend the law as it appears in Section ten hundred fifty-six-a-eleven (1056-a-11) Supplement to the Code, 1913, relating to municipal accounting, 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:

By adding thereto the following:

SEC. 2. That Section ten hundred fifty-six-a-eleven (1056-a-11) Supplement to the Code, 1913, be and the same is hereby amended by striking from line two (2) of said Section the word "five" and inserting in lieu thereof the word "three".

SEC. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Des Moines Daily News, and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns to whom was referred Senate File No. 141, a bill for an act to repeal Section one thousand fifty-six-a-fifty-nine (1956-a59), Supplement to the Code, 1913, relating to tax levy for fire fighting equipment, 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:

That the title be amended by substituting the words "purchasing and maintaining apparatus and equipment for use in police service" for the words "fire fighting equipment".

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns to whom was referred Senate File No. 226, a bill for an act authorizing cities of the first class including cities acting under special charter and cities acting under the commission plan of government to purchase, maintain and operate a street improvement and repair plant, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns to whom was referred House File No. 35, a bill for an act authorizing certain cities to establish building lines; to provide for assessing benefits and awarding damages, and notice to be given, 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:

By striking out the title and inserting in lieu thereof the following: "authorizing certain cities to establish building lines by ordinance, and providing for the notice to be given thereof and for hearing objections thereto". By inserting in line four (4) between the words "private" and "property" the words "or public". Also, in Section two (2), line eleven (11) insert between the words "next" and "council" the word "regular".

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns to whom was referred Senate File No. 38, by Byington, a bill for act to amend Section eight hundred sixteen (816) of the Code of 1897, relative to the levying of paving taxes, beg leave

to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman.*

On motion of Senator Parker the report of the committee was adopted and the bill 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. 201, a bill for an act providing a penalty for the wilful destruction of food products.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 365, a bill for an act to prohibit the receiving of commissions, etc., for organizing a bank or securing subscriptions to stock.

W. C. RAMSAY, *Chief Clerk.*

Also:

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 relating to powers of cities and towns and providing for the appointment of waterworks trustees in cities owning their own waterworks.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 21, a bill for an act to amend section ten hundred ninety-nine (1099), of the Code, and sections eleven hundred and six (1106), eleven hundred and nineteen (1119), eleven hundred and twenty (1120), eleven hundred and fifty (1150), eleven hundred and fifty-one (1151), eleven hundred and fifty-seven (1157), ten hundred and eighty-seven-c (1087-c), and eleven hundred and seventy-three (1173), Supple-

ment to the Code, 1913, and relating to the election of presidential electors and United States senators and of vote therefor and removal of presidential electors from official ballot, and to the form of ballot, the method of voting and counting the vote of candidates.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 174, a bill for an act relating to the putting in of waterworks connections before permanent improvement of the street.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 51, a bill for an act to amend section 1570-b-2, supplement to the code, 1913, relating to the levy of taxes by township trustees for dragging purposes.

W. C. RAMSAY, *Chief Clerk.*

Also:

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 invitation to be extended to Hon. A. B. Cummins to address a joint session of the Iowa Legislature.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 201, a bill for an act providing a penalty for the willful destruction of food products.

Read first and second time and referred to committee on dairy and food.

House File No. 365, a bill for an act to prohibit the receiving of commissions, etc., for organizing a bank or securing subscriptions to stock.

Read first and second time and ordered passed on file.

## HOUSE AMENDMENTS CONCURRED IN.

Senator Foskett called up Senate File No. 142, amended by the House, and moved that the Senate concur in the following House amendments:

First, by inserting after the word "cities" in the fifth line of section one the following:

"but including cities of the first-class under the commission form of government having a population of less than thirty-five thousand (35,000)".

Second, by striking out section five and substituting in lieu thereof the following:

"Sec. 5. In cities operating under the commission plan and having a population of less than thirty-five thousand (35,000) the compensation of said trustees shall be not to exceed three hundred dollars (\$300.00) per year to each member of said Board."

Third, by striking out the words and figures "twenty-five (25)" and inserting in lieu thereof the words "ten per cent of the".

Also by inserting after the word "be" in the fourteenth (14) line of section three (3) of said bill, the following words "not more than."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 40.

Adams	Foskett	Ratcliff
Anderson	Greenell	Rule
Arney	Hale	Schaffter
Balkema	Haskell	Scott
Ball	Horchem	Shane
Brookhart	Kimball	Smith
Broxam	Kingland	Stephenson
Buser	Mitchell	Taylor
Byington	Newberry	Van Alstine
Cessna	Parker	White
Coburn	Pitt	Whitmore
Edwards	Price	Wilson
Evans	Proudfoot	
Fellows	Rainbow	

Nays, none.

Absent or not voting, 10.

Foster	LeCompte	Stoddard
Frailey	Meredith	Thompson
Holdoegel	Nelson	
Kimberly	Reed	

The House amendments having received a constitutional majority were declared to have been concurred in by the Senate.

## HOUSE AMENDMENT NOT CONCURRED IN.

Senator Arney called up Senate File No: 168, amended by the House, and moved that the Senate concur in the following House amendment:

Amend by striking out the words "attending such schools" in the fifth line of Section one and substituting therefor the words "within the school district."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 12.

Anderson	Hochem	Parker
Arney	Kimball	Rainbow
Broxam	Kingland	Stephenson
Coburn	Newberry	White

Nays, 25.

Adams	Greenell	Ratcliff
Balkema	Hale	Rule
Ball	Haskell	Schaffter
Brookhart	LeCompte	Smith
Buser	Mitchell	Van Alstine
Byington	Nelson	Whitmore
Edwards	Pitt	Wilson
Fellows	Price	
Foskett	Proudfoot	

Absent or not voting, 13.

Cessna	Kimberly	Stoddard
Evans	Meredith	Taylor
Poster	Reed	Thompson
Frailey	Scott	
Holdoegel	Shane	

The House amendment having failed to receive a constitutional majority was declared to have not been concurred in by the Senate.

## CORRECTION OF JOURNAL.

The journal of March 14th was corrected and approved.

## MOTION TO RECONSIDER FILED.

I move to reconsider the vote by which Senate File No. 294 failed to pass the Senate, and also the vote by which the bill passed to its third reading.

W. H. ARNEY.

On motion of Senator Wilson, Senate adjourned until 9:00 a. m. Tuesday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 18, 1919.

Senate met in regular session, President Ernest R. Moore, presiding.

Prayer was offered by Rev. B. F. Fellman, Baptist city superintendent of Des Moines.

On motion of Senator Wilson, rule 33 was suspended for the day.

## PETITIONS AND MEMORIALS.

Senator Holdoegel presented a petition of D. A. R. of Fort Dodge Chapter favoring state banner for Iowa.

Referred to committee on military affairs.

Senator Holdoegel presented a petition of the Iowa Conservation Association relating to pollution of lakes and streams.

Referred to committee on public health.

Senator Taylor presented a remonstrance of citizens of Delaware protesting against House File No. 6.

Referred to committee on schools.

Senator Stoddard presented a remonstrance of Sioux City builders exchange opposing Senate File No. 321.

Referred to committee on public utilities.

Senator Stoddard presented a petition of Martha Washington Chapter D. A. R. favoring state banner for Iowa.

Referred to committee on military affairs.

Senator Stoddard presented a remonstrance of City Council of Sioux City protesting against the utilities bill.

Referred to committee on labor.

Senator Stephenson presented a petition of Leon Chamber of Commerce favoring House File No. 259.

Referred to committee on public buildings.

Senator Fellows presented a petition of citizens of Fayette county favoring housing bill.

Referred to committee on cities and towns.

Senator Fellows presented a petition of citizens of Fayette county against hard surfaced roads.

Referred to committee on highways.

Senator Thompson presented a remonstrance of citizens of Oakville against bond issue for hard surfaced roads.

Referred to committee on highways.

Senator Greenell presented a petition of Clinton Chapter D. A. R. favoring state banner for Iowa.

Referred to committee on military affairs.

#### LEAVE OF ABSENCE

On request of Senator Hale leave of absence was granted Senators Adams and Reed for the day.

#### OPENING OF HOSPITAL AT IOWA CITY.

The following communication was presented by Senator Byington:

March 15, 1919.

*To the Members of the Senate, Thirty-eighth General Assembly:*

There has been great interest in the workings of the Perkins Law for the care of crippled children. Within the past four years more than three thousand cases have received treatment in the University Hospital.



The Children's Hospital made possible through the generous wisdom of the Thirty-seventh General Assembly is nearing completion. The children are now being transferred to the new wards.

This building will be open for inspection March 22d and 23d. The faculty plan to arrange a special program for Sunday, the 23d.

In the name of the Iowa State Board of Education and the faculty a cordial invitation is extended to all the members of the Senate to attend this formal opening.

Very truly yours,

W. A. JESSUP.

#### AMENDMENTS TO SENATE FILE NO. 229.

Senator Mitchell filed the following amendments and asked that they be printed in the journal:

I move to amend Senate File No. 229 as follows: By striking out all of said bill after the enacting clause and substituting in lieu thereof the following:

SECTION 1. That all after the word "birds" in the sixth line of Section two thousand five hundred fifty-five (2555), Supplemental Supplement to the Code, 1915, be and the same is hereby stricken out and the following substituted in lieu thereof, " , rabbits or other animals named in this chapter".

SEC. 2. That the word "rabbit" shall be inserted between the word "bird" and "beaver" in the tenth line of Section two thousand five hundred fifty-six (2556), Supplemental Supplement to the Code, 1915, and a comma "," placed after the said word "rabbit" when so inserted.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter from the committee on enrolled bills submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 17th day of March, 1919, sent to the governor for his approval, Senate File No. 253, a bill for an act to amend Section Two Hundred Fifty-three (253) Supplemental Supplement to the Code, 1915, relating to the salary of Judges of the District Court and expenses.

Also:

Senate File No. 228, a bill for an act to amend section ten hundred ninety-three (1093) Supplemental Supplement to the Code, 1915, relating to election boards when voting machines are used.

EUGENE SCHAFFTER, *Chairman*.

Adopted.

## REPORTS OF COMMITTEES.

Senator Wilson, from the committee in Judiciary No. 1, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 1, to whom was referred House File No. 168, a bill for an act to amend the law as it appears in section six hundred ninety-four C-1 (694 C-1) supplemental supplement to the Code, 1915, relating to Municipal Courts, 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:

By striking from the fifth (5) line of section one (1) the word "fifteen" and inserting the word "five".

J. M. WILSON, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 321, a bill for an act to amend section five thousand sixty-seven-a (5067-a) of the Supplement to the code, 1913, relating to combinations, pools and trusts, and excepting labor unions from the operation of said section, 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:

By inserting in the 10th line of section one (1) after the word "purpose" a comma, and the words "by lawful means".

J. M. WILSON, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 293, a bill for an act to amend section 1989-A3 of the Supplement to the Code, 1913, relating to the manner of giving notice to owners, lien holders and encumbrancers of property within a city or town of its inclusion within a proposed drainage district, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 402, a bill for an act to punish the making of any false entries upon books of a corporation or other employer by any officer, agent or employe of such corporation or employer, 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:

By inserting the word "knowingly" after the word "or" and before the word "authorize" in the second (2nd) line of section one (1).

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 418, a bill for an act to amend section 3307, supplement to the code, 1913 relating to estates of absentees, 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:

By striking out the words in the sixth (6) line of section one (1) as follows: "once a resident of this state".

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 331, a bill for an act to amend section five thousand and seventy six (5076) of the code, in regard to frauds upon hotel keepers and hospitals 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.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 363, a bill for An Act to repeal the law as it appears in Chapter eighty-eight (88), Acts of the Thirty-seventh General Assembly, and to enact a substitute therefor, relating to the appointment of agents to demand of the executive authority of another State or foreign Government fugitives from justice, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 335, a bill for an act to repeal Section thirty-three hundred seventy-nine (3379) supplement to the code, 1913, and to enact a substitute therefor relating to the interest of parents or surviving spouse in estate of

decendent who died intestate, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. M. WILSON, *Chairman.*

On motion of Senator Wilson, the report of the committee was adopted and the bill indefinitely postponed.

Senator Taylor, 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. 152 by Whitmore, a bill for an act to repeal section 2419 of the Code, and enact a substitute therefor, relating to the transportation of intoxicating liquors, providing for the detention of persons and vehicles found illegally transporting such liquors, etc., 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:

Amend by striking out the word "in" following the word "county" in line 9 Section 2 and inserting in lieu thereof the word "into." Also by striking out the words "and destroyed" following the word "forfeited" in line 40 of Section 4.

T. E. TAYLOR, *Chairman.*

Ordered passed on file.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred House File No. 233, a bill for an act to amend the law as it appears in section two thousand seven hundred and seventy-three (2773), supplement to the code, 1913, relating to the powers of school boards for fixing length of term, and in providing means of transportation for pupils, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Also:

Your committee on public schools, to whom was referred Senate File No. 296, a bill for an act to amend section twenty-seven hundred ninety-four-a (2794-a) of the supplemental supplement to the code, 1915, as amended by chapter 432 of the acts of the thirty-seventh general assembly, relating to consolidated school districts, 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:

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

SECTION 1. That section twenty-seven hundred ninety-four-a (2794-a) of the supplemental supplement to the code, 1915, as amended by chapter 432 of the acts of the thirty-seventh general assembly be amended by striking therefrom sub-division "a" thereof and inserting in lieu thereof the following:

When a petition describing the boundaries of contiguous territory containing not less than sixteen sections, within one or more counties, asking for the establishment of a consolidated independent school district and signed by one-third of the qualified voters residing therein, is filed with the county superintendent of the county in which the largest number of qualified voters in the proposed district reside, he shall within ten days give public notice of the place and date when all objections shall be filed. Such petition shall be accompanied by an affidavit showing the number of qualified voters in the proposed consolidated district and in case such district is in two or more counties such affidavit shall show separately, as to each county, the number of qualified voters in the part of each county included in the proposed district. Such affidavit shall be made by some qualified voter residing in the proposed district, and shall be taken as true, unless objections are filed to it prior to the final decision on said petition. All notices under this act shall be by one publication in a newspaper published within the proposed district or if there be none, then in a newspaper having general circulation within the proposed consolidated district. Objections may be made by any person residing upon or owning land within such proposed boundaries or who would be injuriously affected by the formation of the proposed district and shall be on file not later than twelve o'clock noon of the day fixed for receiving objections. Within five days after such filings the county superintendent shall review all papers filed in his office and after careful review and investigation of their merits shall overrule or sustain the objections filed and fix and determine the boundary lines of the proposed consolidated district. In determining these boundaries he shall so locate the boundary lines as will in his judgment form the best possible consolidated district, having due regard also to the welfare of adjoining districts. He shall also notify at once all objectors by registered letter of his decision.

Any person having filed objections and being aggrieved by the ruling of the county superintendent may appeal from his decision to the county board of education within ten days after the decision is rendered, by serving written notice on the said county superintendent. Within five days after said notice has been received, the county superintendent shall file with the county board of education all of the original papers together with his decision and fix the time and place where such appeal will be heard and shall give notice to appellants by registered letters as heretofore provided. The time fixed for such hearing shall be not less than five nor more than fifteen days from the date his decision is rendered. The

county board of education shall determine such appeal within five days after the submission thereof which decision shall be final as to said boundaries.

If no objections be filed or if the objections be not sustained, it shall be the duty of the county superintendent with whom said petition has been filed to call an election in the proposed consolidated district, legal notice of which shall be given as hereinbefore provided. At the election all qualified voters residing in the proposed consolidated district shall be entitled to vote by ballot for or against the establishment thereof.

When it is proposed to include in such district a school corporation containing a city, town or village with a population of two hundred or more inhabitants, the voters residing upon the territory outside the limits of the said school corporation shall vote separately upon the proposition to create such new district. The judges of said election shall provide separate ballot boxes in which shall be deposited the votes cast by the qualified voters from their respective territory, and if a majority of the votes cast by the qualified voters residing either within or without the limits of the aforesaid school corporation is against the proposition to form a consolidated independent corporation, then the proposed corporation shall not be formed. If a majority of the votes so cast in each territory shall be in favor of such independent organization, the organization of the proposed consolidated independent school corporation shall be completed by the election of a board of directors for said school corporation, as provided in section twenty-seven hundred ninety-five of the code, and when so organized shall not be reduced to less than sixteen sections unless dissolved as provided by law.

No remaining portion of any school corporation from which territory is taken to form such a consolidated independent corporation shall, after the change, contain less than four government sections, which territory shall be contiguous and so situated as to form a suitable corporation. In the formation of such consolidated school corporation the boundary lines shall conform to those of school corporations or sub-districts already established, provided, however that the county board of education on hearing, may fix other boundaries than herein prescribed, when because of meandering streams, irregular boundaries of existing sub-districts or school corporations or the location of highways, the welfare of the consolidated district and adjoining districts may be better served. In case the boundary of such sub-districts be a public highway then the said consolidated district may include such tracts of one hundred sixty acres or less as are contiguous to the said highway. And where after the formation of such consolidated school corporation, there is left in any school township one or more pieces of territory containing four or more government sections, each of such pieces of territory shall thereon become a rural independent school corporation, unless two or more sub-districts remain in a contiguous body, in which event such remaining portion of territory shall constitute a school township, and it shall be the duty of the officers of the former school township to call an election in each of

such remaining pieces of territory for the purpose of electing school officers in the manner provided by law for the election of officers in rural independent school and school township corporations.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force when published in the Des Moines Capital and Des Moines Register, newspapers published in Des Moines, Iowa."

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

#### SENATE FILES WITHDRAWN.

By unanimous consent, Senator Thompson withdrew Senate File No. 239 from further consideration.

By unanimous consent, Senator Parker, withdrew Senate File No. 268 from further consideration.

#### SENATE FILE NO. 263 WITHDRAWN.

On motion of Senator Arney, the vote by which Senate File No. 263 passed the Senate was reconsidered.

On motion of Senator Arney, the vote by which Senate File No. 263 went to its third reading was reconsidered.

By unanimous consent, Senator Arney withdrew Senate File No. 263 from further consideration.

#### SPECIAL ORDERS.

On motion of Senator Mitchell, Senate File No. 229 was made a special order for Thursday, March 20th, at 10:00 a. m.

On motion of Senator Buser, Senate File No. 128 was made a special order for Friday, March 21st, at 10:00 a. m.

On motion of Senator Thompson, Senate File No. 365 was made a special order for Thursday, March 20th, at 11:00 a. m.

On motion of Senator Rule, Senate File No. 94 was made a special order for Friday, March 21st, at 11:00 a. m.

#### SENATE FILE NO. 1 RECALLED.

Senator Smith moved that the House be requested to return Senate File No. 1.

The motion prevailed.

## THIRD READING OF BILLS.

On motion of Senator Arney, House File No. 365, a bill for an act to prohibit the receiving of commissions, etc., for organizing a bank or securing subscriptions to stock, a committee bill, was taken up, and considered.

Senator Arney offered the following amendment and moved its adoption:

Amend by inserting in line nine of the original bill before the word "compensation" the word "reasonable."

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 32.

Anderson	Fralley	Rule
Arney	Hale	Schaffter
Ball	Holdoegel	Scott
Brookhart	Horchem	Shane
Broxam	Kimball	Stephenson
Buser	LeCompte	Stoddard
Byington	Meredith	Van Alstine
Edwards	Newberry	White
Fellows	Parker	Whitmore
Foskett	Price	Wilson
Foster	Proudfoot	

Nays, 6.

Evans	Kingland	Smith
Kimberly	Nelson	Thompson

Absent or not voting, 12.

Adams	Greenell	Rainbow
Balkema	Haskell	Ratcliff
Cessna	Mitchell	Reed
Coburn	Pitt	Taylor

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. 420, a bill for an act to amend chapter four hundred and one (401), of the Laws of



the Thirty-seventh General Assembly and relating to filling vacancies in the office of Senator in the Congress of the United States, was taken up, and considered, the report of the committee having been 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 vote was:

Ayes, 44.

Anderson	Hoidoegel	Ratcliff
Arney	Horchem	Rule
Balkema	Kimball	Schaffter
Ball	Kimberly	Scott
Brookhart	Kingland	Shane
Buser	LeCompte	Smith
Byington	Meredith	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Nelson	Taylor
Evans	Newberry	Thompson
Fellows	Parker	Van Alstine
Foster	Pitt	White
Fralley	Price	Whitmore
Hale	Proudfoot	Wilson
Haskell	Rainbow	

Nays, none.

Absent or not voting, 6.

Adams	Cessna	Greenell
Broxam	Foskett	Reed

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 LeCompte, Senate File No. 390, a bill for an act to repeal section fourteen hundred nineteen (1419) supplement to the code, 1913, and enacting a substitute therefor, providing for the notice of sale of property for delinquent taxes and the publication of such notice, a committee bill, was taken up and considered.

By unanimous consent the word and figures "Section 2." were stricken from line 4 of Section 1.

Senator LeCompte 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 vote was:

Ayes, 38.

Anderson	Foster	Price
Arney	Frailey	Proudfoot
Balkema	Hale	Rainbow
Ball	Haskell	Rule
Brookhart	Holdoegel	Schaffter
Broxam	Kimball	Smith
Buser	Kimberly	Stephenson
Byington	Kingland	Stoddard
Coburn	LeCompte	Thompson
Edwards	Mitchell	White
Evans	Nelson	Whitmore
Fellows	Newberry	Wilson
Foskett	Parker	

Nays, 1.

Shane

Absent or not voting, 11.

Adams	Meredith	Scott
Cessna	Pitt	Taylor
Greenell	Ratcliff	Van Alstine
Horchem	Reed	

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 Frailey, Senate File No. 409, a bill for an act relating to the regulation of insurance companies and associations, and authorizing the commissioner of insurance to act as receiver for delinquent or insolvent insurance companies and associations, a committee bill, was taken up and considered.

By unanimous consent, on request of Senator Frailey, the word "solvent" in line 8 of Section 1 was stricken out and the word "insolvent" substituted in lieu thereof.

Senator Frailey 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 vote was:

Ayes, 44.

Anderson	Greenell	Rainbow
Balkema	Hale	Ratcliff
Ball	Haskell	Rule
Brookhart	Holdoegel	Schaffter
Broxam	Horchem	Scott
Buser	Kimball	Shane
Byington	Kimberly	Smith
Cessna	LeCompte	Stephenson
Coburn	Meredith	Stoddard
Edwards	Mitchell	Taylor
Evans	Nelson	Thompson
Fellows	Newberry	White
Foskett	Parker	Whitmore
Foster	Pitt	Wilson
Fralley	Price	

Nays, none.

Absent or not voting, 6.

Adams	Kingland	Reed
Arney	Proudfoot	Van Alstine

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. 148, a bill for an act for the prevention of blindness from ophthalmia neonatorum and relating to the report of appearance of infection of the eyes and requiring the use of an antiseptic by physicians, midwives and nurses, and for the furnishing by the state of the proper antiseptic, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Price offered the following amendment as a substitute for the committee amendment, and moved its adoption:

Amend by adding as section 4 the following: "Nothing in this act shall be construed to require medical treatment for the minor child of any person whose religious or other convictions are against medical treatment for disease; and that section 4 of the bill be renumbered section 5.

Senator Balkema moved the previous question, which motion prevailed and the previous question was ordered.

Senator Price invoked rule 8.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 15.

Ball	Frailey	Newberry
Cessna	Kimball	Pitt
Coburn	Kimberly	Price
Fellows	Kingland	Stephenson
Foster	Mitchell	Wilson

Nays, 33.

Anderson	Hale	Rule
Arney	Haskell	Schaffter
Balkema	Holdoegel	Scott
Brookhart	Horchem	Shane
Broxam	LeCompte	Smith
Buser	Meredith	Stoddard
Byington	Nelson	Taylor
Edwards	Parker	Thompson
Evans	Proudfoot	Van Alstine
Foskett	Rainbow	White
Greenell	Ratcliff	Whitmore

Absent or not voting, 2.

Adams	Reed
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The amendment was lost.

#### SPECIAL ORDER DEFERRED.

The time having arrived for consideration of Special Order No. 21, Senate File No. 178, on motion of Senator Parker action was deferred until the matter under consideration, Senate File No. 148 was disposed of.

Senator Arney was called to the chair at 10:35.

The following amendment offered by the committee was considered:

Amend by adding as section 4 the following:

Sec. 4. Provided, however, that nothing in this act shall be compulsory upon the parent of any child without the attending physician to the person first having obtained the written consent of the parent of such child.

Also that section four (4) hereof shall be renumbered as section five (5).

Senator Price invoked rule 8.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 13.

Ball	Haskell	Pitt
Coburn	Kingland	Price
Foster	Mitchell	Ratcliff
Frailey	Newberry	Wilson
Hale		

Nays, 34.

Anderson	Greenell	Schaffter
Arney	Holdoegel	Scott
Balkema	Horchem	Shane
Brookhart	Kimball	Smith
Broxam	Kimberly	Stephenson
Buser	LeCompte	Stoddard
Byington	Meredith	Taylor
Cessna	Nelson	Thompson
Edwards	Parker	Van Alstine
Evans	Proudfoot	White
Fellows	Rule	Whitmore
Foskett		

Absent or not voting, 3.

Adams	Rainbow	Reed
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The committee amendment was lost.

Senator Greenell offered the following amendment and moved its adoption:

Amend Senate File No. 148 by inserting after the word "silver" in line 4 of section 2 the words "or its equivalent".

Also by inserting after the word "silver" in line 4 of section 3 the words "or its equivalent".

Also by inserting after the word "silver" in line 8 of section 3 the words "or its equivalent".

The amendment was lost.

Senator Smith offered the following amendment and moved its adoption:

I move to amend Section 4 by striking out the words and figures "five hundred dollars (\$500.00)" and substituting therefor the words and fig-

ures "one hundred dollars (\$100.00)"; and by striking out the words and figures "six (6) months" and substituting therefor the words and figures "thirty (30) days".

The amendment was adopted.

By unanimous consent the word "nor" was changed to "not" in line 4 of Section 4.

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 vote was:

Ayes, 33.

Anderson	Heldoegel	Rule
Arney	Horchem	Scott
Balkema	Kimball	Shane
Broxam	LeCompte	Smith
Buser	Meredith	Stephenson
Byington	Nelson	Stoddard
Cessna	Newberry	Taylor
Evans	Parker	Thompson
Foskett	Proudfoot	Van Alstine
Foster	Rainbow	White
Haskell	Ratcliff	Whitmore

Nays, 10.

Ball	Hale	Price
Coburn	Mitchell	Schaffter
Frailey	Pitt	

Absent or not voting, 7.

Adams	Fellows	Kingland
Brookhart	Greenell	Reed
Edwards		

So the bill having received a constitutional majority was declared to have passed the Senate.

By unanimous consent, on request of Senator Kimball, the title to Senate File No. 148 was amended by striking out the period at the end thereof and inserting a comma in lieu thereof and by adding thereto the words "and providing a penalty for violation thereof."

The title as amended was agreed to.

## COLONEL BENNETT ADDRESSED SENATE.

Senator Rule moved that a committee of two be appointed to escort Colonel Bennett to the President's desk.

The motion prevailed and the president appointed as such committee Senators Rule and Byington.

Colonel Bennett addressed the Senate as follows:

MR. PRESIDENT AND SENATORS—It is a privilege and a very, very great honor to be permitted to come before you today, and I'll not take much of your time from your very important work that is before you.

I just want to say a few words about the regiment, and something of the character of the service it rendered. I am always ready to talk about the regiment, the only fear that any one may have is that I may speak too long on that subject.

The president of the Senate has given you in a brief way an outline of what constituted the regiment. The Rainbow division was the third division in France, the second national guard division to go overseas, landing at Liverpool December 1, 1917, and in France a few days later. They were in the training area for some time and ordered to the front about the middle of February of last year, and again after a training period of about three weeks they were ordered back to the trenches for additional service, making nearly four months continuous service in the trenches in the Lorraine sector. This was made necessary by the great German offensive which started March 21st of last year and which was going very badly for the allies. After completing these four months in the service in the trenches we were relieved and taken back and immediately sent up to the Champagne front to make the fifth and last German offensive in July of last year. This offensive, as many of you know, was stopped very quickly and after a short time there we were withdrawn and immediately put in the region north of Chateau Thierry, and there occurred what we know as the battle of the Ourcq River.

The regiment was in that fight nine days and it was very disastrous in the way of casualties for us and very disastrous in many other ways for the Germans. We took up the pursuit which was hardly a pursuit, for the Germans held us several days but were finally driven back 15 miles to the Vesle River. We were taken back from that field for six weeks' rest and further training. We got one week's rest and were suddenly ordered back to the front for the St. Mihiel drive. That operation was very successful indeed in every way and after that salient was reduced we remained on that line for a short time and then were taken over into the Argonne, where we were when the armistice was signed.

The Rainbow division has fully vindicated the national guard if any vindication were necessary in the eyes of those who know. The national guard has fully established its right to be considered as a very capable

second line of defense, the regular army always being considered the first. The kind of service rendered by the division and by the 168th Infantry, I believe, will stand and speak for itself. Nothing that I can say can add to it and the words that I might wish to say would be only very feeble in describing the service rendered by the officers and men of the regiment, its wonderful soldiers, its enlisted men and its officers on the front line who have displayed the greatest fortitude in the extremest hardships and the greatest bravery under fire.

This regiment, I like to call it mine, although I am no longer connected with it, having been put out of business by the influenza, represents no one part of the state. It represents every nook and corner of Iowa as the Rainbow division represents 26 different states and the District of Columbia. I am sure that many of you personally are very much interested through some loved one being in that organization.

I only want to add a word about the qualities that go to make up the soldiers of Iowa and their superiority over soldiers, not of other states, not of other American soldiers, but the superiority of American soldiers over the soldiers of other countries, and that is, the initiative which makes it possible for the American soldier to "carry on," and his wonderful intelligence makes it possible for him to "carry on" on his own initiative as he is forced to do in so many instances. In the very nature of the fighting over there the regimental commander, battalion commander or company commander has often been unable to direct his men and then responsibility develops and often depends upon the action of the squad leader or the individual man and there is where the American soldier excels. And of all American soldiers, the soldiers of Iowa have been right up to the front.

I regret that I cannot give you a more elaborate description of the work done by these officers and men. I will only say that you, who are directly interested by having some one in the regiment, have every reason to be proud that you have them there, and those of you who perhaps have lost some one in the regiment, congratulate yourself that you have been permitted to send one out with a splendid organization like that one. Allow me to repeat that Iowa has every reason to be proud of the regiment which was fully and well represented in the great world war that has now closed.

On motion of Senator Rule, the Senate extended to Colonel Bennett a rising vote of thanks and his remarks were ordered printed in the journal.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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



House File No. 540, a bill for an act amending section twenty-one of the code, relating to witnesses.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGE CONSIDERED.

House File No. 540, a bill for an act amending section twenty-one (21) of the code, relating to witnesses.

Read first and second time.

#### THIRD READING OF BILLS.

On motion of Senator Proudfoot, House File No. 540, a bill for an act amending section twenty-one (21) of the code, relating to witnesses, was taken up and considered.

By unanimous consent on request of Senator Proudfoot, the rule requiring reference of a bill to a committee was suspended.

By unanimous consent, on request of Senator Proudfoot, the rule was suspended whereby no bill may be read a second and third time the same day.

Senator Proudfoot offered the following amendments and moved their adoption:

Amend House File 540 by striking out the comma following the word "him" in line eight of section one, and inserting a period in lieu thereof; and by striking out of said section the following words in lines eight, nine and ten thereof: "and said witness shall not be prosecuted for any crime connected with or growing out of the matter on which the investigation is based."

Also amend the bill by striking out the comma following the word "him" in line twenty-five thereof and inserting a period in lieu thereof, and by striking out all of the remainder of said section one.

The amendments were adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 43.

Anderson	Hale	Proudfoot
Arney	Haskell	Rainbow
Balkema	Holdoegel	Ratcliff
Ball	Horchem	Rule
Brookhart	Kimball	Schaffter
Broxam	Kimberly	Shane
Buser	Kingland	Smith
Byington	LeCompte	Stephenson
Cessna	Mitchell	Stoddard
Coburn	Nelson	Thompson
Evans	Newberry	Val Alstine
Fellows	Parker	White
Foskett	Pitt	Whitmore
Fralley	Price	Wilson
Greenell		

Nays, none.

Absent or not voting, 7.

Adams	Meredith	Scott
Edwards	Reed	Taylor
Foster		

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. 541, a bill for an act to repeal section fifty-two hundred sixty-eight (5268) of the code, relating to the grand jury and its clerk, and enacting a substitute therefor.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGE CONSIDERED.

House File No. 541, a bill for an act to repeal section fifty-two hundred sixty-eight (5268) of the code relating to the grand jury and the clerk and enacting a substitute therefor.

Read first and second time.

## THIRD READING OF BILLS.

On motion of Senator Proudfoot, House File No. 541, a bill for an act to repeal section fifty-two hundred sixty-eight (5268) of the code relating to the grand jury and the clerk and enacting a substitute therefor, was taken up and considered.

By unanimous consent on request of Senator Proudfoot the rule requiring the reference of a bill to a committee was suspended.

By unanimous consent, on request of Senator Proudfoot, the rule whereby no bill may be read a second and third time the same day was suspended.

The bill was read for information.

Senator Proudfoot 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 vote was:

Ayes, 44.

Anderson	Haskell	Rainbow
Arney	Holdoegel	Ratcliff
Balkema	Horchem	Rule
Ball	Kimball	Schaffter
Brookhart	Kimberly	Shane
Broxam	Kingland	Smith
Buser	LeCompte	Stephenson
Byington	Meredith	Stoddard
Cessna	Mitchell	Taylor
Coburn	Nelson	Thompson
Evans	Newberry	Van Alstine
Fellows	Parker	White
Fraley	Pitt	Whitmore
Greenell	Price	Wilson
Hale	Proudfoot	

Nays, none.

Absent or not voting, 6.

Adams	Foskett	Reed
Edwards	Foster	Scott

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

## AMENDMENT FILED TO SENATE FILE NO. 124.

Senator Evans offered the following amendment and asked that it be printed in the journal:

I move to amend Senate File No. 124 as amended by inserting as section six (6) thereof the following:

That section twenty-seven hundred forty-two (2742), Supplement to the Code, 1913, be and the same is hereby repealed and the following enacted in lieu thereof:

"Each County Superintendent of schools shall receive for his services the following compensation:

In counties having a population of ten thousand (10,000), \$1,600.00; in counties having a population of ten thousand (10,000) and less than twenty thousand (20,000), \$1,700.00; in counties having a population of twenty thousand (20,000) and less than thirty thousand (30,000), \$1,800.00; in counties having a population of thirty thousand (30,000) and less than forty thousand (40,000), \$1,900.00; in counties having a population of forty thousand (40,000), and less than fifty thousand (50,000), \$2,000.00; in counties having a population of fifty thousand (50,000) or more the sum of \$2,500.00; and in all cases such superintendent shall receive 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 statement filed with the county auditor who shall draw his warrant upon the county treasurer therefor; provided, that, where County Superintendents are now receiving by action of the Board of Supervisors a sum greater than the amount fixed herein, this law shall not be construed so as to reduce said sum."

And that Section six (6) and seven (7) be renumbered as Sections seven (7) and eight (8).

On motion of Senator Byington, Senate adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

#### LEAVE OF ABSENCE.

On request of Senator Wilson leave of absence was granted Senator Foskett for the afternoon.

On request of Senator Taylor leave of absence was granted Senator Edwards for the afternoon.

#### MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House File No. 346, a bill for an act to amend section twenty-five hundred seventy-one-a (2571-a), supplement to the code, 1913, relating to quarantine of infectious and contagious diseases.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House requests the return of concurrent resolution relating to joint session March 20th.

W. C. RAMSAY, *Chief Clerk.*

On motion of Senator Haskell the request was granted.

#### HOUSE MESSAGES CONSIDERED.

House File No. 346, a bill for an act to amend section twenty-five hundred seventy-one-a (2571-a), supplement to the code, 1913, relating to quarantine of infectious and contagious diseases.

Read first and second time.

On motion of Senator Ratcliff the rule requiring reference of the bill to committee was suspended.

Senator Ratcliff moved that the rule whereby no bill may be read a second and third time the same day be suspended.

On the question, "Shall the rule be suspended?" the vote was:

Ayes, 34.

Anderson	Horchem	Rule
Arney	Kimball	Schaffter
Brookhart	Kingland	Scott
Broxam	LeCompte	Shane
Buser	Meredith	Smith
Byington	Mitchell	Stephenson
Cessna	Nelson	Stoddard
Evans	Parker	Taylor
Fralley	Proudfoot	Van Alstine
Greenell	Rainbow	White
Haskell	Ratcliff	Whitmore
Holdoegel		

Nays, none.

Absent or not voting, 16.

Adams	Foskett	Pitt
Balkema	Foster	Price
Ball	Hale	Reed
Coburn	Kimberly	Thompson
Edwards	Newberry	Wilson
Fellows		

The rule was suspended.

### THIRD READING OF BILLS.

On motion of Senator Ratcliff, House File No. 346, a bill for an act to amend section twenty-five hundred seventy-one-a (2571-a), supplement to the code, 1913, relating to quarantine of infectious and contagious diseases, was taken up and considered.

The bill was read for information.

Senator Price offered the following amendment and moved its adoption:

Amend by striking out all following the word "influenza" in line 5.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 11.

Ball	Newberry	Schaffter
Coburn	Parker	Stephenson
Foster	Price	Wilson
Hale	Rule	

Nays, 32.

Anderson	Haskell	Ratcliff
Arney	Horchem	Seott
Balkema	Kimball	Shane
Brookhart	Kimberly	Smith
Broxam	Kingland	Stoddard
Buser	LeCompte	Taylor
Byington	Meredith	Thompson
Cessna	Mitchell	Van Alstine
Evans	Nelson	White
Foster	Proudfoot	Whitmore
Greenell	Rainbow	

Absent or not voting, 7.

Adams	Foskett	Reed
Edwards	Holdoegel	
Fellows	Pitt	

The amendment was lost.

Senator Ratcliff 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 vote was:  
Ayes, 41.

Anderson	Hale	Rainbow
Arney	Haskell	Ratcliff
Balkema	Holdoegel	Schaffter
Ball	Horchem	Scott
Brookhart	Kimball	Shane
Broxam	Kimberly	Smith
Buser	Kingland	Stephenson
Byington	LeCompte	Stoddard
Cessna	Meredith	Taylor
Coburn	Mitchell	Thompson
Evans	Nelson	White
Fellows	Newberry	Whitmore
Fralley	Parker	Wilson
Greenell	Proudfoot	

Nays, 2.

Price	Rule
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Absent or not voting, 7.

Adams	Foster	Van Alstine
Edwards	Pitt	
Foskett	Reed	

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

Senator Taylor was called to the chair at 2:00 p. m.

Senator Ratcliff moved that the vote by which House File No. 346 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion Senator Van Alstine, Senate File No. 178, a bill for an act to amend the law as it appears in section two thousand five hundred fifteen (2515) of the supplemental supplement to the code, 1915, and relating to the appointment of a dairy and food commissioner, a deputy dairy and food commissioner, a state

dairy inspector, assistants, a chemist, and a bacteriologist and assistant chemist, define the power and duties of such officers and fix their compensation; and to amend the law as it appears in section two thousand five hundred fifteen-g (2515-g) of the supplement to the code, 1913, relating to penalties for violating the dairy laws enforced by the dairy and food commissioner; and to amend section two thousand five hundred twenty-two (2522) of the supplement to the code, 1913, relating to making reports by manufacturers of certain dairy products; and to amend section two thousand five hundred twenty-four (2524) of the code relating to salaries of milk inspectors in certain cities; and to amend chapter thirteen (13) of the code by adding thereto a section relating to the registration and use of marks or brands on containers used for handling skimmed-milk, butter-milk, milk, cream and ice cream, also a section relating to the use of the words "butter", "creamery" and "dairy" on substitutes for butter and advertising material pertaining thereto; and to repeal the law as it appears in sections two thousand five hundred fifteen-b (2515-b) and two thousand five hundred fifteen-c (2515-c) of the supplement to the code, 1913, and section two thousand five hundred fifteen-d (2515-d) supplement to the code, 1913, as amended by chapter three hundred seventy-seven (377) section one (1), acts of the thirty-seventh general assembly, and to enact substitutes therefor relating to the sale of imitation evaporated milk, imitation ice cream, skimmed milk, milk, cream and other dairy products, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Strike out after the enacting clause, and substitute therefor the following:

SECTION 1. That the law as it appears in section twenty-five hundred fifteen (2515), supplemental supplement to the code, 1915, be and the same is hereby amended by striking out of line eleven thereof the words "of each even-numbered year" and inserting in lieu thereof the words "nineteen hundred twenty"; by striking out of line fourteen thereof the words "hold his office for two" and inserting in lieu thereof the words "who shall hold his office for a term of four"; by inserting after the word "shall" in line forty-three thereof the following: "devote all their time to their duties and shall"; by striking out of line fifty-one thereof the word "shall" and inserting in lieu thereof the word "may"; by striking out of lines fifty-five and fifty-six thereof after the comma (,) where it appears



following the word "year" in line fifty-five the words "to be paid in the same manner as the salaries of other state officers. He" and inserting in lieu thereof the following: "and a bacteriologist and assistant chemist at a salary to be hereafter fixed by the General Assembly. The state chemist and the bacteriologist and assistant chemist"; and by inserting after the period (.) where it appears following the word "assistants" in line sixty-one thereof the following: "The commissioner, the deputy commissioner, the state dairy inspector, the assistants, the chemist and the bacteriologist and assistant chemist shall be paid in the same manner as the salaries of other state officer".

SEC. 2. That the law as it appears in sections two thousand five hundred fifteen-b (2515-b), two thousand five hundred fifteen-c (2515-c), and two thousand five hundred fifteen-d (2515-d), supplement to the code, 1913, as amended by chapter 377, acts of the Thirty-seventh General Assembly, be and the same are hereby repealed and the following enacted in lieu thereof:

No person shall sell, exchange or expose for sale or exchange or deliver or bring to another for domestic or potable use or to be converted into any product of human food, any adulterated, or misbranded milk, cream or skimmed milk, and no person shall purchase any such substance to be converted into any human food product or manufacture the same into food product, nor shall any persons offer or expose for sale or have in his possession with intent to sell or sell any skimmed milk unless each receptacle and carrying can containing the same shall be kept plainly marked on the side thereof with the word "Skimmed Milk" in the English language in plain letters not less than one inch in height, provided that skimmed milk sold in bottles shall be deemed to be properly marked if the cap shall be plainly printed with the words "Skimmed Milk" in letters not smaller than twelve-point Gothic caps.

For the purpose of this act, milk is the fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept. For the purpose of this act, cream is the portion of milk, rich in milk fat, which rises to the surface of milk on standing, or is separated from it by centrifugal force, is fresh and clean. For the purpose of this act, skimmed milk is the portion of milk, poor in fat, from which the cream has been removed. The term "skimmed milk" shall also include the fresh, clean, lacteal secretion of one or more healthy cows and containing less than three per cent (3%) of milk fat or less than eleven and one-half per cent (11½%) of milk solids.

For the purpose of this act, milk, cream and skimmed milk shall be deemed to be adulterated:

In case of milk, cream and skimmed milk:

First. If water or any other substance has been added.

Second. If it contains any visible dirt or be contained in any container which is not clean.

Third. If it be obtained from any animal having disease, sickness, ulcer, abscess or running sore or which has been obtained from a cow within fifteen days before or five days after calving.

Fourth. If it be obtained from a cow stabled in an unhealthful place or fed upon any substance in a state of putrefaction or of an unhealthful nature.

In case of milk:

If it contains less than three per cent (3%) of milk-fat or less than eleven and one-half per cent (11½%) of milk solids.

In the case of cream:

If it contains less than sixteen per cent (16%) of milk-fat.

For the purpose of this act, milk, cream and skimmed milk shall be deemed to be misbranded:

If it be labeled or branded so as to deceive or mislead the purchaser or if the package bears any statement, design or device which is false or misleading in any particular.

For the purpose of this act, cheese is the sound, ripened product made from milk or cream by coagulating the casein with rennet or lactic acid with or without the addition of ripening ferments, seasonings and color, and contains not less than thirty per cent (30%) of milk-fat. For the purpose of this act, skimmed milk cheese is the sound and ripened product made from skimmed milk as defined in this chapter, by coagulating the casein thereof with rennet or lactic acid, with or without the addition of ripening ferments, seasoning, and color and containing less than thirty per cent (30%) of milk-fat. No person shall offer or expose for sale any skimmed milk cheese without the same being plainly and durably branded or marked on the side or top of both cheese and package in the English language with the words "Skimmed Milk Cheese" in letters to be not less than one inch in height and one-half inch in width.

Every article, substitute or compound, save that produced from pure milk of cows and containing no added substance, made in the semblance of or designed to be used for or in the place of evaporated milk, is hereby declared "Imitation Evaporated Milk" and every article, substitute or compound, containing any fat other than the milk-fat of milk cows, made in the semblance of or designed to be used for or in the place of ice cream, is hereby declared "Imitation Ice Cream". No person, firm or corporation shall manufacture, have in his possession, offer to sell, or sell, solicit or take orders for delivery or ship any such imitation evaporated milk or imitation ice cream, except in the manner and subject to the regulations provided in this section.

Imitation evaporated milk and imitation ice cream may be manufactured, kept in possession, offered for sale, or sold, if each can, tub, box, or other package in which same is kept, offered for sale or shipped shall

have plainly branded on the side or top thereof in the English language in a durable manner, the words "Imitation Evaporated Milk" or "Imitation Ice Cream" as the case may be. The letters of the words to be not less than one inch in height and one-half inch in width. Provided, however, that on packages containing less than twenty ounces net of imitation evaporated milk the words "Imitation Evaporated Milk" may appear plainly printed on the principal label of the package in type not less than one-fourth inch in height and one-eighth inch in width. Imitation evaporated milk and imitation ice cream may be kept, used or served only in case the proprietor or person in charge of the place in which such imitation evaporated milk or imitation ice cream is used or served, shall display and keep constantly posted a card opposite each table, counter, or other places where the guests or others are served with the same, which card shall be white, at least ten by fourteen inches in size and the words "Imitation Evaporated Milk Used Here" or "Imitation Ice Cream Used Here", as the case may be, printed in black Roman letters not less than three inches in height and two inches in width and no other words or figures shall be printed thereon. Provided, however, that this provision shall not apply to a private residence of a person serving his family or guests. Nothing in this or the preceding section shall be construed to require the labeling of nut ice cream or ice cream flavored with chocolate or cocoa, "Imitation Ice Cream".

SEC. 3. That the law as it appears in section two thousand five hundred fifteen-g (2515-g), supplement to the code, 1913, be and the same is hereby amended by striking out of line three thereof the words "twenty-five" and inserting in lieu thereof the word "ten" and by striking out of line four thereof the word "less" and inserting in lieu thereof the word "more".

SEC. 4. That the law as it appears in section two thousand five hundred twenty-two (2522), supplement to the code, 1913, be and the same is hereby amended by inserting after the word "creamery" where it appears in line four thereof the words "milk-plant, cream-station or ice cream,".

SEC. 5. That chapter thirteen (13) of Title XII of the code be and the same is hereby amended by adding thereto the following:

Any person, firm or corporation who buys, sells or transports skimmed-milk, butter-milk, milk, cream, or ice cream, may adopt a distinctive mark or brand, to be placed on any container of such dairy products, owned by it, and may register such mark or brand with the state dairy and food commissioner, and when approved by the commissioner, such mark or brand shall be used only by the registrant thereof. The mark or brand may consist of the owner's name and address or suitable abbreviations therefor or both.

It shall be unlawful for any person, firm or corporation to use any mark or brand which has been so registered by and approved for the use of any other person, firm or corporation.

It shall be unlawful for any person, firm or corporation, other than the rightful owner thereof, to use any container, marked or branded as

in this section provided, for any other purpose or for the transportation or handling of any other commodity than skimmed-milk, butter-milk, milk, cream or ice cream.

It shall be unlawful for any person, firm or corporation, other than the rightful owner thereof to deface, remove, or injure any mark or brand, provided in this section, placed on any container.

It shall be unlawful for any person, firm or corporation to use any container marked or branded, as in this section provided, without the consent of the owner thereof.

It shall be unlawful for any person, firm or corporation to have in its possession for a longer time than three days any container marked or branded as in this section provided, without the consent of the owner thereof and any person, firm or corporation having in its possession any container not its own property, or sent it by the owner thereof for use, shall immediately return such container or containers, other than milk and cream bottles, to the owner by a common carrier, and a receipt from a common carrier shall be prima facie evidence that such container was returned. Milk and cream bottles, marked or branded as in this section provided, shall be returned by delivering them to the owner thereof or his agent or servant, in person, or by leaving them where such owner, his agent or servant may pick them up at the time he delivers milk. Provided, that where the person, firm or corporation finds in its possession a container not its own property nor sent it by the owner thereof for use and not knowing the name and address of the rightful owner shall immediately notify the state dairy and food commissioner in writing that such container is in its possession, describing to him the size and shape of container and the mark thereon. Upon receipt of shipping instructions from the state dairy and food commissioner he shall immediately forward same by a common carrier collect to the name and address furnished him by the state dairy and food commissioner. Nothing in this section shall require the return of any milk or cream bottle when the cost of returning such bottle is greater than the market value of the bottle.

The state dairy and food commissioner shall adopt and issue rules and regulations for carrying out the provisions of this section. The term container used in this section shall include cans, bottles, casks, kegs, barrels, packages and other receptacles of like nature.

SEC. 6. That chapter thirteen (13) of Title XII of the code be and the same is hereby amended by adding thereto the following:

No person, firm or corporation shall use in any way, in connection or association with the sale or expose for sale or advertisement of any substance designed to be used as a substitute for butter, the word "butter", "creamery", or "dairy", except as required by section twenty-five hundred seventeen (2517) of the code, or the name or representation of any breed of dairy cattle, or any combination of such word or words

and representation, or any other words or symbols or combination thereof commonly used in the sale of butter.

SEC. 7. That any person, firm or corporation violating any provision of this act shall be guilty of a misdemeanor, and upon conviction therefor shall be punished by a fine of not less than ten nor more than one hundred dollars or by imprisonment for not more than thirty days in the county jail.

SEC. 8. Nothing contained in this act shall in any manner operate to cause a vacancy or remove from office the dairy and food commissioner or his assistants or employees of the dairy and food department who may be serving when this act becomes effective.

SEC. 9. The provisions of section two of this act in so far as they relate to imitation evaporated milk shall take effect October 1, 1919.

The provision of section 7 of this act shall take effect August 1, 1919.

SEC. 10. This act being deemed of immediate importance, shall be in force and effect from and after its publication in the Des Moines Register and the Des Moines Capital, papers published at Des Moines, Iowa.

Senator Van Alstine offered the following amendments and moved their adoption:

Amend the title to Senate File 178 as follows:

By striking out the words "and fix their compensation" where they occur in line six (6) following the word "officers"; by striking out, following the semicolon in line twelve (12) the words "*and to amend section two thousand five hundred twenty-four (2524) of the code relating to salaries of milk inspectors in certain cities;*" where the same occurs in lines twelve (12), thirteen (13) and fourteen (14); by inserting in line fifteen (15) following the figures thirteen (13) "*of title XII*".

Also amend by striking out the word "*expose*" and inserting in lieu thereof the word "*exposure*" where the same occurs in line four (4) of Section Six (6) as the same appears on Page Nine Hundred Fifty Six (956) of Senate Journal. By striking out the figure Seven "(7)" and inserting in lieu thereof the figure Six "(6)" where the same occurs in line three (3) of Section Nine (9) as the same appears on page Nine Hundred Fifty-six (956) of Senate Journal.

The amendments were adopted.

Senator Van Alstine 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 vote was:

Ayes, 43.

Anderson	Holdoegel	Ratcliff
Arney	Horchem	Rule
Balkema	Kimball	Scott
Ball	Kimberly	Shane
Brookhart	Kingland	Smith
Broxam	LeCompte	Stephenson
Buser	Meredith	Stoddard
Byington	Mitchell	Taylor
Cessna	Nelson	Thompson
Coburn	Newberry	Van Alstine
Evans	Parker	White
Fellows	Pitt	Whitmore
Fralley	Price	Wilson
Greenell	Proudfoot	
Haskell	Rainbow	

Nays, none.

Absent or not voting, 7.

Adams	Reed	Schaffter
Edwards	Foster	
Foskett	Hale	

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 Van Alstine, the name of Representative Beeman of Allamakee county was inserted as co-author of the bill.

#### THIRD READING OF BILLS.

On motion of Senator Wilson, Senate File No. 440, a bill for an act to convey to James M. Peden the title of the State of Iowa to the Northeast quarter (NE $\frac{1}{4}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ) of Section Eleven (11), Township Seventy (70) North, Range Thirteen (13), West of the 5th P. M., with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson 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 vote was:

## Ayes, 43.

Anderson	Holdoegel	Ratcliff
Arney	Horchem	Rule
Balkema	Kimball	Schaffter
Ball	Kimberly	Scott
Brookhart	Kingland	Shane
Broxam	LeCompte	Stephenson
Buser	Meredith	Stoddard
Byington	Mitchell	Taylor
Coburn	Nelson	Thompson
Evans	Newberry	Van Alstine
Fellows	Parker	White
Foster	Pitt	Whitmore
Fraley	Price	Wilson
Hale	Proudfoot	
Haskell	Rainbow	

Nays, none.

Absent or not voting, 7.

Adams	Foskett	Smith
Cessna	Greenell	
Edwards	Reed	

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

## SPECIAL ORDER.

On motion of Senator Kimball, Senate File No. 73 was made a special order for Friday at 10:30.

## CORRECTION OF JOURNAL.

The journal of March 17th was corrected and approved. President Moore resumed the chair at 2:45.

## THIRD READING OF BILLS.

On motion of Senator White, Senate File No. 227, a bill for an act to establish a home for dependent, neglected, delinquent or destitute children, residents of Iowa, as defined by the laws of the State of Iowa, to secure necessary grounds, site, buildings and equipment therefor, conferring full power to manage control and govern the same upon the Board of Control of State Institutions, and to make necessary appropriations therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator White 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 vote was:

Ayes, 43.

Anderson	Haskell	Ratcliff
Arney	Heldoegel	Rule
Balkema	Horchem	Schaffter
Ball	Kimball	Scott
Brookhart	Kimberly	Smith
Broxam	Kingland	Stephenson
Buser	Meredith	Stoddard
Byington	Mitchell	Taylor
Coburn	Nelson	Thompson
Evans	Newberry	Van Alstine
Fellows	Parker	White
Foster	Pitt	Whitmore
Fralley	Price	Wilson
Greenell	Proudfoot	
Hale	Rainbow	

Nays, none.

Absent or not voting, 7.

Adams	Foskett	Shane
Cesana	LeCompte	
Edwards	Reed	

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

VOTE ON SENATE FILE NO. 540 TABLED.

Senator Whitmore moved that the vote by which Senate File No. 540 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

VOTE ON SENATE FILE NO. 541 TABLED.

Senator Whitmore moved that the vote by which Senate File No. 541 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.



## SENATE FILE NO. 419 WITHDRAWN.

By unanimous consent, Senator Scott withdrew Senate File No. 419 from further consideration.

## MOTION TO RECONSIDER CALLED UP.

Senator Brookhart called up his motion filed to reconsider the vote by which the committee report was adopted, indefinitely postponing Senate File No. 77.

The motion to reconsider prevailed.

## THIRD READING OF BILLS.

On motion of Senator Brookhart, Senate File No. 77, a bill for an act to amend section 2734-c of the supplemental supplement to the code, relating to the expenses of the County Superintendent of Schools for visiting schools, was taken up and considered.

The bill was read for information.

Senator Brookhart 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 vote was:

Ayes, 34.

Ball	Kimball	Schaffter
Brookhart	Kimberly	Scott
Broxam	Kingland	Shane
Buser	Meredith	Stephenson
Byington	Mitchell	Stoddard
Evans	Newberry	Taylor
Foster	Parker	Van Alstine
Fralley	Pitt	White
Greenell	Proudfoot	Whitmore
Hale	Rainbow	Wilson
Holdoegel	Ratcliff	
Horchem	Rule	

Nays, 7.

Anderson	LeCompte	Thompson
Cessna	Price	
Fellows	Smith	

Absent or not voting, 9.

Adams  
Arney  
Balkema

Coburn  
Edwards  
Foskett

Haskell  
Nelson  
Reed

So the bill having received a constitutional majority was declared to have passed the Senate.

By unanimous consent, the figures "1915" were inserted in line 2 of the title and also in line 2 of Section 1, following the word "code".

The title as amended was agreed to.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate Concurrent Resolution relative to joint session.

#### HOUSE AMENDMENT.

Amend concurrent resolution relating to invitation to Senator Cummins to address the General Assembly by striking out the date, "March 20th," and inserting in lieu thereof the words and figures, "March 27th."

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE AMENDMENT CONCURRED IN.

On motion of Senator Haskell, the Senate concurred in the House amendment to Senate concurrent resolution.

#### 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 return of Senate File No. 51.

W. C. RAMSAY, *Chief Clerk.*

On motion of Senator Hale the request was granted.

Also:

I am directed to 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 empower cities organized under the commission plan of government, located on or into and through which a stream flows which furnishes drainage for any city or town whose boundary line or any part thereof joins, to provide for the construction of sewers.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 49, a bill for an act to repeal the law as it appears in section twenty-three hundred forty-eight (2348), Supplement to the Code, 1913, and to enact a substitute for the law repealed, and to provide for a bounty for the destruction of wolves, foxes, lynx, and wild cats.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 section seven hundred and seventy-seven (777) of the supplement to the code, 1913, relating to temporary sidewalks in cities and towns.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 123, a bill for an act to amend the law as it appears in section one thousand and eighty-seven-a twenty-two, (1087-a22), supplement to the code, 1913, relating to canvass by the State board in Primary elections.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 12, a bill for an act to amend chapter two hundred ninety (290) of the laws of the Thirty-seventh General Assembly relating to vocational education, to appropriate funds for state aid in affording such education and to provide for the expense of administration thereof.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 252, a bill for an act to repeal section seven hundred forty-one-f (741-f), supplemental supplement to the code, 1915, as amended by chapter one hundred eighty-two (182) and chapter two hundred twenty (220) of the acts of the thirty-seventh general assembly, 1917, relating to the limit of indebtedness in the issuance of city or town hall bonds, and to enact the following in lieu thereof:

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 205, a bill for an act to amend the law as it appears in chapter one hundred thirty-one (131), laws of the thirty-seventh (37) general assembly, relative to levying taxes by cities and towns for the purpose of equipping fire departments.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 208, a bill for an act to amend section six hundred fifty-one (651), supplement to the code, 1913, relating to the appointment of officers of cities and towns.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 190, a bill for an act to amend section two thousand one hundred fifty-seven-g (2157-g), supplement to the code, 1913, relating to persons entitled to transportation on common carriers.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 376, a bill for an act adopting a state emblem for the state of Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 63, a bill for an act giving cities power to assess abutting and adjacent property for the cost of acquiring land by condemna-

tion or purchase, and improving the same for streets, avenues, alleys, boulevards, highways.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 332, a bill for an act to repeal the law as it appears in section two thousand seven hundred and thirty-four-p (2734-p), supplement to the code, 1913, and to enact a substitute therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 repeal chapter 8-a of title V of the supplement to the code, 1913, and to enact a substitute therefor authorizing cities to protect property within their limits from danger and damage from floods and high water, by deepening, widening, straightening, altering, diverting, changing or otherwise improving water courses within their limits, by constructing levees, embankments, or conduits therefor, and to provide for the levy of special assessments and other taxes to defray the expenses of such improvements, and the issuance of bonds and certificates in anticipation of such taxes and special assessments. Additional to chapter seven (7) and eight (8) of title V of the code.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 twenty-seven hundred seventy-three (2773), supplement to the code, 1913, and twenty-seven hundred thirty-three-one-a (2733-1a), supplemental supplement to the code, 1915, relating to the length of time pupils may attend the public schools and the payment of tuition in certain cases.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendment to House File No. 4, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 540, in which the concu-

rence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House returns herewith, as requested, Senate File No. 1.

W. C. RAMSAY, *Chief Clerk.*

#### SENATE FILE NO. 1 WITHDRAWN.

On motion of Senator Smith, the vote by which Senate File No. 1 passed the Senate was reconsidered.

On motion of Senator Smith, the vote by which the bill passed to its third reading was reconsidered.

By unanimous consent, Senator Smith withdrew Senate File No. 1 from further consideration.

#### MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

Senate File No. 102, a bill for an act appropriating \$561.52 in favor of P. K. Holbrook for per diem and railroad fare at 2c a mile incurred by him in discharge of his official duties as a member of the Iowa State Board of Education from July 14, 1915, to October 12, 1916, inclusive.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 99, a bill for an act to repeal section three thousand five hundred thirty-six-a (3536-a), supplement to the code, 1913, relative to the legalizing of decrees of court and affidavits of publication and enacting a substitute therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 42, a bill for an act to amend section sixteen hundred fifty-two-d (1652-d), supplement to the code, 1913, relating to extinct churches.

## HOUSE AMENDMENT.

Amend by striking out all after the enacting clause and substituting therefor the following:

"That the law as it appears in section one thousand six hundred and fifty-two-d (1652-d), supplement to the code, 1913, be and the same is hereby amended as follows:

By inserting after the word "fund" and before the word "except" in line nine, the words "for not less than five (5) years" and also by adding at the end of said section the following: "If the principal or income in the hands of such trustees is not used in the locality where the extinct local society was situated within the term of five (5) years from the time of the sale or disposition of its property, then the said principal and income, if any, may be used for building or improving other property of the denomination within the territorial limits in which such extinct society was located."

W. C. RAMSAY, *Chief Clerk.*

Also:

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 amend section three thousand four hundred and thirty-nine (3439) of the supplement to the code, 1913, relating to the limitation of actions on judgments.

## HOUSE AMENDMENT.

Amend by substituting a comma for the period at the end of the bill and adding thereto the following:

"and by striking out all of said section after the period following the word 'thereon' in the eleventh line."

W. C. RAMSAY, *Chief Clerk.*

Senator Frailey, from the committee on insurance, submitted the following report:

MR. PRESIDENT—Your committee on insurance, to whom was referred Senate File No. 324, a bill for an act to amend the law as it appears in section thirteen hundred thirty-three-d (1333-d), supplement to the code, 1913, relating to taxation of the moneys and credits of domestic insurance corporations, and fixing the basis upon which such tax shall be calculated, beg leave to report they have had the same under consideration and recommend the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

Your committee on insurance, to whom was referred Senate File No. 7, a bill for an act to amend the law as it appears in section seventeen hundred fifty-four (1754) of the code, relating to combination by insurance companies, beg leave to report they have had the same under consideration and recommend the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

#### HOUSE MESSAGES CONSIDERED.

House File No. 7, a bill for an act to empower cities organized under the commission plan of government, located on or into and through which a stream flows which furnishes drainage for any city or town whose boundary line or any part thereof joins, to provide for the construction of sewers.

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

House File No. 49, a bill for an act to repeal the law as it appears in section twenty-three hundred forty-eight (2348), Supplement to the Code, 1913, and to enact a substitute for the law repealed, and to provide for a bounty for the destruction of wolves, foxes, lynx, and wild cats.

Read first and second time and referred to committee on fish and game.

House File No. 266, a bill for an act to amend section seven hundred and seventy-seven (777) supplement to the code, 1913, relating to temporary sidewalks in cities and towns.

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

House File No. 376, a bill for an act adopting a state emblem for the State of Iowa.

Read first and second time and referred to committee on military affairs.

House File No. 63, a bill for an act giving cities power to assess abutting and adjacent property for the cost of acquiring land by



condemnation or purchase, and improving the same for parks, playgrounds, streets, avenues, alleys, boulevards, highways.

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

House File No. 332, a bill for an act to repeal the law as it appears in section two thousand seven hundred and thirty-four-p (2734-p), supplement to the code, 1913, and to enact a substitute therefor.

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

House File No. 123, a bill for an act to amend the law as it appears in section one thousand and eighty-seven-a twenty-two, (1087-a22), supplement to the code, 1913, relating to canvas by the State board in Primary elections.

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

House File No. 12, a bill for an act to amend chapter two hundred ninety (290) of the laws of the Thirty-seventh General Assembly relating to vocational education, to appropriate funds for state aid in affording such education and to provide for the expense of administration thereof.

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

House File No. 252, a bill for an act to repeal Section seven hundred forty-one-f (741-f), supplemental supplement to the code, 1915, as amended by chapter one hundred eighty-two (182) and chapter two hundred twenty (220), of the acts of the thirty-seventh general assembly, 1917, relating to the limit of indebtedness in the issuance of city or town hall bonds, and to enact the following in lieu thereof.

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

House File No. 205, a bill for an act to amend the law as it appears in chapter one hundred thirty-one (131), laws of the

Thirty-seventh (37) General Assembly, relative to levying taxes by cities and towns for the purpose of equipping fire departments.

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

House File No. 208, a bill for an act to amend section six hundred fifty-one (651), supplement to the code, 1913, relating to the appointment of officers in cities and towns.

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

House File No. 190, a bill for an act to amend section two thousand one hundred fifty-seven-g (2157-g) supplement to the Code, 1913, relating to persons entitled to transportation on common carriers.

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

House File No. 228, a bill for an act to repeal Chapter 8-A of Title V. of the supplement to the code, 1913, and to enact a substitute therefor authorizing cities to protect property within their limits from danger and damage from floods and high water, by deepening, widening, straightening, altering, diverting, changing, or otherwise improving water courses within their limits, by constructing levees, embankments, or conduits therefor, and to provide for the levy of special assessments and other taxes to defray the expenses of such improvements, and the issuance of bonds and certificates in anticipation of such taxes and special assessments.

Additional to Chapter seven (7) and eight (8) of Title V. of the Code.

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

House File No. 290, a bill for an act to amend section twenty-seven hundred seventy-three (2773) supplement to the code, 1913, and twenty-seven hundred thirty-three-one-a (2733-1a), supplemental supplement to the code, 1915, relating to the length

of time pupils may attend the public schools and the payment of tuition in certain cases.

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

AMENDMENT TO SENATE FILE NO. 128.

Senator Buser filed the following amendment:

Amend Senate File No. 128 by striking from line 3 of section 1 the word "alone".

MOTION TO RECONSIDER.

We move to reconsider the vote by which Senate File No. 390 passed the Senate.

A. M. PARKER,  
J. L. BROOKHART.

On motion of Senator Parker, Senate adjourned until 9:00 a. m. Wednesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 19, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Elder Warren R. Turner, of Reorganized Church of Jesus Christ, L. D. S., of Clinton.

On motion of Senator Proudfoot, rule 33 was suspended for the day.

## PETITIONS AND MEMORIALS.

Senator Nelson presented a remonstrance of citizens of Atlantic against bond issue for hard roads.

Referred to committee on highways.

Senator Nelson presented a remonstrance of citizens of Portsmouth against House File No. 6.

Referred to committee on schools.

## REPORTS OF COMMITTEES.

Senator Coburn, from the committee on agriculture, submitted the following report:

MR. PRESIDENT—Your committee on agriculture, to whom was referred House File No. 41, a bill for an act to amend chapter eighty-nine (89), acts of the thirty-seventh (37th) general assembly, relating to public aid to county or district fairs, beg leave to report they have had the same under consideration and recommend the same do pass.

GEO. L. COBURN, *Chairman.*

Ordered passed on file.

Senator Foskett, from the committee on appropriations, submitted the following report:

MR. PRESIDENT—Your committee on appropriations, to whom was referred Senate File No. 117, a bill for an act to amend section 5718-a 14 of the supplement to the code, 1913, relating to the compensation of the members of the board of parole, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

H. I. FOSKETT, *Chairman.*

On motion of Senator Foskett, the report of the committee was adopted and the bill indefinitely postponed.

Senator Evans, from the committee on dairy and food, submitted the following report:

MR. PRESIDENT—Your committee on dairies and food, to whom was referred Senate File No. 329, a bill for an act to provide for the regulation of traffic in and licensing of dealers in eggs; to prevent fraud and misrepresentation in dealing in, and to prevent the sale of eggs unfit for human food, 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:

Amend by striking from line nine (9) of Section 4 of the bill the figures "\$2.00" and substituting in lieu thereof the words and figures "one dollar, (\$1.00)."

W. T. EVANS, *Chairman.*

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. 9, a bill for an act to repeal section 1561 of the code, relating to the placing of guide boards at cross roads, forks of the roads, etc., 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:

Amend by striking out section three (3) of the bill and renumbering the sections to conform thereto.

Also by inserting the word "inter" before the word "county" wherever the same is found in the bill.

N. BALKEMA, *Chairman.*

Ordered passed on file.

Also:

Your committee on highways, to whom was referred Senate File No. 252, a bill for an act amending Title Eight (8) Chapter One (1) of the

Code, as amended, relating to the establishment, alteration and vacation of roads, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

N. BALKEMA, *Chairman*.

On motion of Senator Balkema, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on highways, to whom was referred House File No. 284, a bill for an act to amend the law as it appears in Section 1989-a2, Supplement to the Code, 1913, relating to the report of engineers, 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:

Your committee on highways, to whom was referred Senate File No. 285, a bill for an act to amend Section 1303, Supplemental Supplement to the Code, 1915, relating to the levy of taxes for bridge purposes, 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 Parker, 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. 322, a bill for an act to empower and authorize the grading, paving and curbing of certain streets and highways by the joint action of counties, cities and towns, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 34, by Hansen, a bill for an act to repeal the law as it appears in section nine hundred sixteen (916) of the supplement to the code, 1913, relating to the platting and subdividing of additions and to enact a sub-

stitute therefor, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman.*

On motion of Senator Parker, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on cities and towns, to whom was referred Senate File No. 237, by Rainbow, a bill for an act relating to fire protection and providing regulations as to the use of scenery in opera houses and theaters and making it a misdemeanor to operate an opera house or theater without complying with the provisions of this act, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman.*

On motion of Senator Parker, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on cities and towns, to whom was referred Senate File No. 188, a bill for an act to amend section eight hundred ninety-four (894), supplement to the code, 1913, in paragraph three (3) thereof, in relation to sewer fund levied annually by cities, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred Senate File No. 408, by Frailey, a bill for an act to repeal chapter three hundred forty-three (343) of the acts of the 37th general assembly, relating to the method of estimating and determining the rate of tax required to be levied for any purpose authorized by law, and requiring such rate to be computed upon the adjusted taxable valuation for the preceding calendar year, and requiring the certification of the amount of the required tax in dollars and not by rate, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman.*

On motion of Senator Parker, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on cities and towns, to whom was referred Senate File No. 379, a bill for an act to grant additional powers to certain cities organized under the provisions of chapter fourteen-c (14-c), title V, sections ten hundred fifty-six-a seventeen (1056-a17) to ten hundred fifty-six-a sixty-five (1056-a65) inclusive, supplement to the code, 1913, and amendments thereto, in relation to selling or donating for county seat purposes, lands belonging to said cities, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred Senate File No. 33, a bill for an act in relation to the housing of people in cities of the first class and special charter cities under commission form of government, to promote the health, safety and welfare of the people by regulating the light and ventilation, sanitation, fire protection, maintenance, alteration and improvement of dwellings; to define the classes of dwellings affected by the act, to establish administrative requirements and to establish remedies and fix penalties for the violation thereof, be leave to report they have had the same under consideration and recommend that the attached committee bill be substituted therefor and that such substitute do pass:

#### BY COMMITTEE ON CITIES AND TOWNS, SENATE FILE NO. 475.

A bill for an act in relation to the housing of the people in cities of the first class and special charter cities and cities under commission form of government, to promote the health, safety and welfare of the people by regulating the light and ventilation, sanitation, fire protection, maintenance, alteration and improvement of dwellings; to define the classes of dwellings affected by the act, to establish administrative requirements and to establish remedies and fix penalties for the violation thereof; also providing that all other cities and incorporated towns may adopt ordinances for the regulation and control of any or all of such matters and fix penalties for the violation thereof; also providing that the State Board of Health may apply and enforce the provisions of this act in mining camps.

ADDISON M. PARKER, *Chairman*.

Read first and second time and passed on file.

#### REPORTS OF COMMITTEES.

Senator Pitt, from the committee on labor, submitted the following report:



MR. PRESIDENT—Your committee on labor, to whom was referred House File No. 11, a bill for an act to repeal Section Two Thousand Four Hundred Seventy-seven-c (2477-c), Supplemental Supplement to the Code, and to enact a substitute therefor, relating to the hours that child labor may be employed in the State of Iowa, beg leave to report they have the same under consideration and recommend the same do pass.

M. B. PITT, *Chairman.*

Ordered passed on file.

Senator Foster, 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. 396, a bill for an act to amend Section Eighteen Hundred sixty-six (1866), Chapter Eleven (11), Title IX of the Code, relating to the number of Directors of State Banks, beg leave to report they have had the same under consideration and recommend the same do pass.

JOHN W. FOSTER, *Chairman.*

Ordered passed on file.

Senator Smith, from the committee on claims, submitted the following report:

MR. PRESIDENT—Your committee on claims, to whom was referred Senate File No. 147, a bill for an act making an appropriation to indemnify Welker Given for an injury by accident as a state employe in the capitol park during the work in extension of the grounds, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

E. M. SMITH, *Chairman.*

On motion of Senator Smith, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on claims to whom was referred Senate File No. 107, a bill for an act to reimburse Melvin Polson for injuries received while confined in the state penitentiary at Fort Madison, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

E. M. SMITH, *Chairman.*

On motion of Senator Smith, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on claims, to whom was referred Senate File No. 310, a bill for an act to indemnify E. L. Logan, Oscar Buchanan, Charley Falk, Thos. Ogden, B. H. Copenhagen, C. E. Henderson, C. G. Silkett and J. N. Mewhirter, for loss sustained on account by reason of condemnation and destruction of certain cows by the State of Iowa alleged to have been infected with tuberculosis, which cows were allowed to enter state of Iowa and sold as., etc., beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

E. M. SMITH, *Chairman.*

On motion of Senator Smith, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on claims, to whom was referred Senate File No. 35, a bill for an act to compensate Charles Berry for loss of certain horses and mules slaughtered by the State authority on suspicion of glanders, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

E. M. SMITH, *Chairman.*

On motion of Senator Smith, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on claims, to whom was referred Senate File No. 311, a bill for an act to compensate John M. Thelen of Buena Vista County, Iowa, for loss of a certain horse slaughtered by the state authorities on suspicion of being affected with glanders, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

E. M. SMITH, *Chairman.*

On motion of Senator Smith, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on claims, to whom was referred Senate File No. 56, bill for an act to indemnify and pay C. A. Wissler \$3,500.00 for loss and damage sustained while in the discharge of his duty as an employee of the State at the State Sanatorium for the treatment of tuberculosis, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

E. M. SMITH, *Chairman.*

Senator Smith moved adoption of the report of the committee on Senate File No. 56, and asked for a roll call.

Senator Byington invoked rule 8.

On the question, "Shall the report of the committee be adopted?" the vote was:

Ayes, 20.

Balkema	Foster	Rule
Ball	Hale	Schaffter
Broxam	Haskell	Scott
Buser	Meredith	Smith
Coburn	Mitchell	Stephenson
Fellows	Pitt	Thompson
Foskett	Ratcliff	

Nays, 23.

Anderson	Kimberly	Rainbow
Brookhart	Kingland	Shane
Byington	LeCompte	Stoddard
Cessna	Nelson	Taylor
Evans	Newberry	White
Holdoegel	Parker	Whitmore
Horchem	Price	Wilson
Kimball	Proudfoot	

Absent or not voting, 7.

Adams	Fralley	Reed
Arney	Greenell	Van Alstine
Evans		

The report was rejected and on motion of Senator Foskett the bill was referred to the committee on appropriations.

### THIRD READING OF BILLS.

On motion of Senator Mitchell, Senate File No. 283, a bill for an act establishing a State Board of Embalming and Undertaking, defining the duties, powers and authority thereof, with report of committee recommending passage was taken up, considered, report of the committee adopted.

Senator Buser offered the following amendment and moved its adoption:

I move to amend Senate File No. 283 by adding after the period following the word "cent" in line 70 of Section 8 the following: "provided the provisions of this act shall not apply to soldiers and sailors of the late

war who are actually engaged in the profession of embalming at least three months prior to the taking effect of this act."

The amendment was lost.

Senator Thompson offered the following amendment and moved its adoption:

I move to amend the bill by striking out all of Section 16.

Senator Wilson offered the following amendment as a substitute for the pending amendment:

I move to amend Senate File No. 283 by striking from lines 2 and 3 of Section 16 the words "or prepare for burial or transportation".

The substitute amendment was adopted.

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

Senator Mitchell 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 vote was:

Ayes, 15.

Ball	Kimball	Rule
Broxam	LeCompte	Shane
Buser	Mitchell	Smith
Frailey	Price	Thompson
Horchem	Ratcliff	Wilson

Nays, 25.

Anderson	Foster	Rainbow
Balkema	Haskell	Schaffter
Brookhart	Meredith	Scott
Byington	Nelson	Stephenson
Coburn	Newberry	Stoddard
Edwards	Parker	Taylor
Evans	Pitt	White
Fellows	Proudfoot	Whitmore
Foskett		

Absent or not voting, 10.

Adams	Hale	Kinglard
Arney	Holdoegel	Reed
Cessna	Kimberly	Van Alstine
Greenell		

So the bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

MOTION TO RECONSIDER CALLED UP.

Senator Stoddard called up the motion filed by him to reconsider the vote by which House File 88 failed to pass the Senate.

On the question, "Shall the vote be reconsidered?" the vote was:

Ayes, 26.

Anderson	Hale	Proudfoot
Balkema	Holdoegel	Ratcliff
Brookhart	Horchem	Scott
Broxam	Kimball	Shane
Byington	Kimberly	Stoddard
Coburn	LeCompte	Thompson
Evans	Mitchell	White
Foster	Parker	Wilson
Fralley	Price	

Nays, 16.

Ball	Haskell	Rule
Buser	Meredith	Schaffter
Edwards	Nelson	Smith
Fellows	Pitt	Stephenson
Foskett	Rainbow	Whitmore
Greenell		

Absent or not voting, 8.

Adams	Kingland	Taylor
Arney	Newberry	Van Alstine
Cessna	Reed	

The motion to reconsider prevailed.

Senator Stoddard moved to reconsider the vote by which House File No. 88 passed to its third reading, which motion prevailed.

THIRD READING OF BILLS.

On motion of Senator Stoddard, House File No. 88, a bill for an act conferring upon cities and towns the authority to adopt a budget system, was taken up and considered.

Senator Schaffter moved the previous question, which motion prevailed, and the previous question was ordered.

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

On the question, "Shall the bill pass?" the vote was :

Ayes, 27.

Anderson	Frailey	Parker
Arney	Hale	Price
Balkema	Holdoegel	Ratcliff
Brookhart	Horchem	Scott
Broxam	Kimball	Shane
Byington	Kimberly	Stoddard
Coburn	Kingland	Thompson
Evans	LeCompte	White
Foster	Mitchell	Wilson

Nays, 17.

Ball	Greenell	Rainbow
Buser	Haskell	Rule
Cessna	Meredith	Schaffter
Edwards	Nelson	Smith
Fellows	Newberry	Stephenson
Foskett	Pitt	

Absent or not voting, 6.

Adams	Reed	Van Alstine
Proudfoot	Taylor	Whitmore

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

President Moore resumed the chair at 11:20.

### THIRD READING OF BILLS.

The time having arrived for special order No. 23, on motion of Senator Schaffter, Senate File No. 124, a bill for an act to repeal the law as it appears in sections four hundred seventy-nine (479), four hundred ninety (490), four hundred ninety-five (495) and five hundred ten A (510-a) supplemental supplement to the code, 1915, and section one (1) of chapter four hundred twenty-six (426) of the acts of the Thirty-seventh General Assembly, and to enact substitutes in lieu thereof, relating to the duties and

compensation of county officers, was taken up and considered, the committee report and committee amendments having been heretofore adopted.

Senator Evans offered the following amendment and moved its adoption:

I move to amend Senate File No. 124 as amended by inserting as section six (6) thereof the following:

That section twenty-seven hundred forty-two (2742), Supplement to the Code, 1913, be and the same is hereby repealed and the following enacted in lieu thereof:

"Each County Superintendent of schools shall receive for his services the following compensation:

In counties having a population of ten thousand (10,000), \$1,600.00; in counties having a population of ten thousand (10,000) and less than twenty thousand (20,000), \$1,700.00; in counties having a population of twenty thousand (20,000) and less than thirty thousand (30,000), \$1,800.00; in counties having a population of thirty thousand (30,000) and less than forty thousand (40,000), \$1,900.00; in counties having a population of forty thousand (40,000), and less than fifty thousand (50,000), \$2,000.00; in counties having a population of fifty thousand (50,000) or more the sum of \$2,500.00; and in all cases such superintendent shall receive 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 statement filed with the county auditor who shall draw his warrant upon the county treasurer therefor; provided, that, where County Superintendents are now receiving by action of the Board of Supervisors a sum greater than the amount fixed herein, this law shall not be construed so as to reduce said sum."

And that Section six (6) and seven (7) be renumbered as Sections seven (7) and eight (8).

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 27.

Anderson  
Broxam  
Byington  
Coburn  
Edwards  
Evans  
Foskett  
Fralley  
Greenell

Hale  
Haskell  
Horchem  
Kimball  
Kimberly  
LeCompte  
Mitchell  
Newberry  
Parker

Pitt  
Price  
Rainbow  
Rule  
Schaffter  
Stoddard  
Thompson  
White  
Wilson

## Nays, 13.

Balkema	Fellows	Ratcliff
Ball	Kingland	Shane
Brookhart	Meredith	Smith
Buser	Nelson	Stephenson
Cessna		

## Absent or not voting, 10.

Adams	Proudfoot	Taylor
Arney	Reed	Van Alstine
Foster	Scott	Whitmore
Holdoegel		

The amendment was adopted.

Senator Stoddard offered the following amendment and moved its adoption:

I move to amend Senate File No. 124 by striking out all after the words "seventy thousand" in the eighteenth line of Section 3 and inserting in lieu thereof the following, "twenty-six hundred dollars; in counties having a population of seventy thousand and less than ninety thousand, twenty-eight hundred dollars; and in counties having a population of ninety thousand and over, thirty-one hundred dollars."

The amendment was lost.

Senator Cessna offered the following amendment and moved its adoption:

I move to amend S. F. 124 by adding to section six the following: "Any increase in salaries provided for in this act shall not apply after June 30th, 1921."

The amendment was adopted.

Senator Schaffter 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 vote was:

## Ayes, 30.

Anderson	Evans	Kimball
Balkema	Fralley	Kimberly
Broxam	Greenell	LeCompte
Cessna	Hale	Meredith
Coburn	Haskell	Mitchell
Edwards	Horchem	Newberry



Parker  
Pitt  
Price  
Rainbow

Ratcliff  
Schaffter  
Shane  
Stoddard

Thompson  
White  
Wilson

Nays, 10.

Ball  
Brookhart  
Buser  
Byington

Fellows  
Foskett  
Kingland  
Nelson

Rule  
Smith  
Stephenson

Absent or not voting, 10.

Adams  
Arney  
Foster  
Holdoegel

Proudfoot  
Reed  
Scott

Taylor  
Van Alstine  
Whitmore

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

Senator Evans offered the following amendment to the title and moved its adoption:

I move to amend the title to Senate File 124 by inserting after the word "assembly" in the fifth line of the title the words and figures "and section two thousand seven hundred forty two (2742), supplement to the code, 1913."

The amendment was adopted and the title as amended was agreed to.

#### MOTION TO RECONSIDER FILED.

We move to reconsider the vote by which Senate File No. 390 was passed to its third reading.

A. M. PARKER,  
J. L. BROOKHART.

#### SENATE FILE WITHDRAWN.

By unanimous consent, Senator Hale withdrew Senate File No. 209 from further consideration.

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed House Files Nos. 4, 110, 218, 346, 540 and 541.

On motion of Senator Kingland, Senate adjourned until 1:30 p. m. today.

## AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

## THIRD READING OF BILLS.

On motion of Senator Whitmore, Senate File No. 308, a bill for an act to repeal section 298, Supplemental Supplement to the code, 1915, as amended by chapter seventy-seven (77) of the acts of the Thirty-seventh General Assembly; and section four hundred eighty-one (481), supplemental supplement to the code, 1915, as amended by chapter seventy-seven (77), of the Acts of the Thirty-seventh General Assembly; and section four hundred ninety-nine (499), supplemental supplement to the code, 1915, as amended by chapter seventy-seven (77) of the Acts of the Thirty-seventh General Assembly; and section four hundred ninety-six (496), supplement to the code, 1913, as amended by chapter seventy-seven (77), of the Acts of the thirty-seventh General Assembly; and section five hundred ten-b (510-b), supplemental supplement to the code, 1915, and enacting substitutes therefor, relating to the appointment and compensation of deputy county officers, with report of committee recommending amendment and passage was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by amending section 1, in the 17th line thereof, by striking out all after the word "office" and by inserting in lieu thereof the following: "He shall receive a salary of sixty-five per cent of that of his principal, and in case additional deputies and clerks are needed, the board of supervisors may make such allowance therefor as they may deem reasonable. Except that in counties having a population of 25,000 and over, or where district court is held in two places, the salary of the first deputy shall be sixty-five per cent and the salary of the second deputy shall be fifty per cent of that of their principal, and in counties having a population of 65,000 and over, the salary of the second deputy shall be sixty-five per cent and the salary of the third deputy fifty per cent of that of their principal".

Also amending section 2 by adding at the end thereof, the following: "Provided further that in counties having a population of 65,000 and over, the salary of the second deputy shall be sixty-five per cent and the

salary of the third deputy fifty per cent of that of their principal."

Also amending section 3 by adding at the end thereof, the following: "Provided further that in counties having a population of 65,000 and over, the salary of the second deputy shall be sixty-five per cent and the salary of the third deputy fifty per cent of that of their principal."

Senator Schaffter offered the following amendment and moved its adoption:

I move to amend Senate File 308 by adding the following:

Sec. 6. All increases of salary granted by this act shall cease and determine on June 1, 1921.

Sec. 7. 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 the Des Moines Register, newspapers published in Des Moines, Iowa.

The amendment was adopted.

Senator Greenell moved that the bill be re-referred to the committee on county and township affairs.

The motion was lost.

Senator Schaffter raised the point of order that the discussion was not on the bill under consideration.

The point of order was sustained.

Senator Stoddard offered the following amendment and moved its adoption:

Amend Senate File No. 308 by inserting in line 25 of section 2 after the word "places," the following: "and in counties having a population of 65,000 and over".

Senator Whitmore moved that the bill and all pending amendments be re-referred to the committee on county and township affairs.

Senator Price raised the point of order that the motion of Senator Whitmore was out of order, inasmuch as a similar motion had just been acted upon.

The president held the point of order well taken.

The amendment offered by Senator Stoddard was adopted.

On motion of Senator Whitmore, the bill was re-referred to the committee on county and township affairs.

### THIRD READING OF BILLS.

On motion of Senator Whitmore, Senate File No. 141, a bill for an act to repeal section one thousand fifty six-a-fifty-nine (1056-a59), Supplement to the Code, 1913, relating to tax levy for fire fighting equipment, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend the title by substituting the words "purchasing and maintaining apparatus and equipment for use in police service" for the words "fire fighting equipment."

Senator Whitmore 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.

Senator Whitmore invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 25.

Anderson	Hale	Price
Arney	Holdoegel	Ratcliff
Balkema	Horchem	Scott
Ball	Kimball	Shane
Brookhart	Kimberly	Stoddard
Byington	Kingland	White
Edwards	Newberry	Whitmore
Foskett	Parker	Wilson
Foster		

Nays, 18.

Broxam	Greenell	Pitt
Buser	Haskell	Rainbow
Cessna	LeCompte	Rule
Coburn	Meredith	Schaffter
Evans	Mitchell	Smith
Fellows	Nelson	Stephenson

Absent or not voting, 7.

Adams	Reed	Thompson
Fralley	Taylor	Van Alstine
Proudfoot		

So the bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Newberry, Senate File No. 351, a bill for an act to amend the law as it appears in section three thousand one hundred ninety-seven (3197) of the Code, relating to the giving of bonds by guardians, and providing for the amount and approval of the same, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Newberry 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 vote was:

Ayes, 35.

Anderson	Haskell	Ratcliff
Arney	Holdoegel	Rule
Balkema	Kimball	Schaffter
Ball	Kimberly	Scott
Brookhart	LeCompte	Shane
Broxam	Mitchell	Smith
Cessna	Nelson	Stephenson
Edwards	Newberry	Stoddard
Evans	Parker	Thompson
Fellows	Pitt	Whitmore
Poster	Price	Wilson
Hale	Rainbow	

Nays, 1.

Buser

Absent or not voting, 14.

Adams	Greenell	Reed
Byington	Horchem	Taylor
Coburn	Kingland	Van Alstine
Foskett	Meredith	White
Frailey	Proudfoot	

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 Ratcliff, Senate File No. 392, a bill for an act to amend section forty-nine hundred thirteen-a (4913-a) of the supplement to the code, 1913, relating to the crime of bring-

ing to state institutions or inmates drugs, liquors, weapons, explosives or articles aiding escape, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Ratcliff 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 vote was:

Ayes, 39.

Anderson	Haskell	Rainbow
Arney	Holdoegel	Ratcliff
Balkema	Horchem	Rule
Ball	Kimball	Schaffter
Brookhart	Kimberly	Scott
Broxam	Kingland	Shane
Buser	LeCompte	Smith
Byington	Mitchell	Stephenson
Cessna	Nelson	Stoddard
Edwards	Newberry	Thompson
Evans	Parker	White
Fellows	Pitt	Whitmore
Hale	Price	Wilson

Nays, none.

Absent or not voting, 11.

Adams	Fratley	Reed
Coburn	Greenell	Taylor
Foskett	Meredith	Van Alstine
Foster	Proudfoot	

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 Parker, Senate File No. 271, a bill for an act to amend the law as it appears in section ten hundred fifty-six-a eleven (1056-a11), Supplement to the Code, 1913, relating to municipal accounting, with report of committee recommending amendment and passage was taken up, considered, and the report of the committee adopted.

Senator Parker offered the following amendment to the pending committee amendment and moved its adoption:

Amend the committee amendment by striking out the word and figure

"eleven (11)" in line one of Section 2 and inserting the word and figure "twelve (12)" in lieu thereof.

The amendment was adopted.

The following committee amendment as amended was adopted:

Amend by adding thereto the following:

SEC. 2. That Section ten hundred fifty-six-a eleven (1056-a11) Supplement to the Code, 1913, be and the same is hereby amended by striking from line two (2) of said Section the word "five" and inserting in lieu thereof the word "three".

SEC. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Des Moines Daily News and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

Senator Parker offered the following amendment and moved its adoption:

Amend Senate File No. 271 by striking out the word and figure "five (5)" in line 4 and inserting in lieu thereof the word and figure "four (4)"; also by striking out the word and figure "thirteen (13)" in line 6 and inserting in lieu thereof the word and figure "twelve (12)".

The amendment was adopted.

Senator Parker 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 vote was:

Ayes, 19.

Balkema  
Buser  
Byington  
Coburn  
Evans  
Foster  
Greenell

Haskell  
Kimball  
LeCompte  
Newberry  
Parker  
Rainbow

Ratcliff  
Schaffter  
Scott  
Stoddard  
Whitmore  
Wilson

Nays, 13.

Anderson  
Arney  
Cessna  
Edwards  
Fellows

Hale  
Mitchell  
Nelson  
Price

Rule  
Shane  
Stephenson  
**Thompson**

## Absent or not voting, 18.

Adams	Holdoegel	Froundfoot
Ball	Horchem	Reed
Brookhart	Kimberly	Smith
Broxam	Kingland	Taylor
Foskett	Meredith	Van Alstine
Fralley	Pitt	White

So the bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Parker, House File No. 35, a bill for an act authorizing certain cities to establish building lines; to provide for assessing benefits and awarding damages and notice to be given, with report of committee recommending amendment and passage was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out the title and inserting in lieu thereof the following: "A bill for an act authorizing certain cities to establish building lines by ordinance, and providing for the notice to be given thereof and for hearing objections thereto". By inserting in line four (4) between the words "private" and "property" the words "or public". Also, in Section two (2), line eleven (11) insert between the words "next" and "council" the word "regular".

Senator Parker moved that the rules 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 vote was:

Ayes, 32.

Anderson	Greenell	Ratcliff
Arney	Hale	Schaffter
Balkema	Haskell	Scott
Brookhart	Holdoegel	Shane
Broxam	Horchem	Smith
Byington	Kimball	Stoddard
Coburn	Kimberly	Taylor
Evans	Kingland	Thompson
Fellows	Newberry	White
Foskett	Parker	Wilson
Foster	Rainbow	

Nays, 6.

Buser	Meredith	Nelson
Edwards	Mitchell	Ruie



## Absent or not voting, 12.

Adams	LeCompte	Reed
Ball	Pitt	Stephenson
Cessna	Price	Van Alstine
Fralley	Proudfoot	Whitmore

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. 400, a bill for an act to legalize certain acknowledgments and administrations of oath, with report of committee recommending passage was taken up, considered, and the report of the committee was adopted.

Senator Taylor 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 vote was:

## Ayes, 34.

Anderson	Horchem	Ratcliff
Arney	Kimball	Rule
Brookhart	Kimberly	Scott
Broxam	Kingland	Shane
Buser	Meredith	Smith
Byington	Mitchell	Stephenson
Edwards	Nelson	Stoddard
Evans	Newberry	Taylor
Fellows	Parker	Thompson
Hale	Price	White
Haskell	Rainbow	Wilson
Holdoegel		

## Nays, none.

## Absent or not voting, 16.

Adams	Foster	Proudfoot
Balkema	Fralley	Reed
Ball	Greenell	Schaffter
Cessna	LeCompte	Van Alstine
Coburn	Pitt	Witmore
Foskett		

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 Thompson, Senate File No. 330, a bill for an act to legalize certain warrants of the city of Burlington,

Iowa, and the issuance and sale of Negotiable Bonds Funding said warrants, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Thompson 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 vote was:

Ayes, 39.

Anderson	Greenell	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Rule
Brookhart	Ho'doegel	Schaffter
Broxam	Horchem	Scott
Buser	Kimball	Shane
Byington	Kimberly	Smith
Cessna	Meredith	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Nelson	Taylor
Evans	Newberry	Thompson
Fellows	Parke	White
Foskett	Pitt	Wilson

Nays, none.

Absent or not voting, 11.

Adams	Kingland	Reed
Ball	LeCompte	Van Alstine
Foster	Price	Whitmore
Frailey	Proudfoot	

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 Ratcliff, Senate File No. 363, a bill for an act to repeal the law as it appears in chapter eighty-eight (88), acts of the Thirty-seventh General Assembly and to enact a substitute therefor relating to the appointment of agents to demand of the executive authority of another State or foreign Government fugitives from justice, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ratcliff 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 vote was:

Ayes, 41.

Anderson	Greenell	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Buser	Kimberly	Shane
Byington	Kingland	Smith
Cessna	Meredith	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Neison	Taylor
Evans	Newberry	Thompson
Fellows	Parker	White
Foskett	Pitt	Wilson
Foster	Price	

Nays, none.

Absent or not voting, 9.

Adams	Holdoegel	Reed
Broxam	LeCompte	Van Alstine
Frailey	Poudfoot	Whitemore

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. 418, a bill for an act to amend section 3307, Supplement to the Code, 1913, and relating to estates of absentees, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking out the words in the sixth (6) line of section one (1) as follows: "once a resident of this state".

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 vote was:

Ayes, 39.

Anderson	Byington	Foster
Arney	Cessna	Greenell
Balkema	Edwards	Hale
Brookhart	Evans	Haskell
Broxam	Fellows	Holdoegel
Buser	Foskett	Horchem

Kimball	Parker	Shane
Kimberly	Pitt	Smith
Kingland	Price	Stephenson
Meredith	Rainbow	Stoddard
Mitchell	Ratcliff	Taylor
Nelson	Rule	Whitmore
Newberry	Schaffter	Wilson

Nays, none.

Absent or not voting, 11.

Adams	LeCompte	Thompson
Ball	Proudfoot	Van Alstine
Coburn	Reed	White
Frailey	Scott	

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. 168, a bill for an act to amend the law as it appears in section six hundred ninety-four C-1 (694-C1), Supplemental Supplement to the Code, 1915, relating to municipal courts, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee was adopted.

The following committee amendment was adopted:

Amend by striking from the fifth (5) line of section one (1) the word "fifteen" and inserting the word "five".

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 43.

Anderson	Foster	Newberry
Arney	Frailey	Parker
Balkema	Greenell	Pitt
Ball	Hale	Price
Broxam	Haskell	Rainbow
Buser	Holdoegel	Ratcliff
Byington	Horchem	Rule
Cessna	Kimball	Schaffter
Coburn	Kimberly	Scott
Edwards	Kingland	Shane
Evans	Meredith	Smith
Fellows	Mitchell	Stephenson
Foskett	Nelson	Stoddard

Taylor  
Thompson

Whitmore

Wilson

Nays, none.

Absent or not voting, 7.

Adams  
Brookhart  
LeCompte

Proudfoot  
Reed

Van Alstine  
White

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, House File No. 233, a bill for an act to amend the law as it appears in section 2773, Supplement to the Code, 1913, relating to the powers of school boards for fixing length of term, and in providing means of transportation for pupils, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Smith offered the following amendment and moved its adoption:

Amend by striking from line 13 of Section 2 the words "one and one-half" and inserting in lieu thereof the word "two".

On motion of Senator Wilson, further action was deferred until tomorrow..

#### SPECIAL ORDER.

On motion of Senator Smith, Senate File No. 296 was made a special order for Thursday, March 20th at 9:30.

#### COMMUNICATION FROM CODE COMMISSION.

Des Moines, Iowa, March 19, 1919.

*To the Thirty-eight General Assembly of Iowa:*

Your Code Commissioners, appointed under the provisions of Senate File 210, entered upon the discharge of their duties Monday morning, and beg to submit the following for your consideration.

After careful consideration of the law and consultation, we understand the duties of the commission in reference to code revision to be,

First, to prepare an orderly compilation of the laws, omitting all laws of a local or temporary character, etc., and cause the same to be printed on or before December 1st, 1919, without any change in wording;

Second, to prepare a report setting forth a codification of such parts of the law, as, in the judgment of the commission, is necessary, and that such codification shall be prepared in the form of bills as substitutes for the sections or chapters codified, as the case may be;

Third, to separately report such amendments to the laws as codified, as, in the judgment of the commission, are necessary and for the public interest.

This will place before the general assembly in a specific way,

(a) The compilation, being the law as it now exists, without change of wording.

(b) A codification of such parts of the law as now exists as it may be deemed advisable to codify, but without change of meaning.

(c) Proposed amendments to the law as codified.

As section nine of the bill requires the code as thus compiled to be printed on or before December 1st, 1919, and the report of the commission on or before January 1st, 1920, the time is scarcely more than will be found necessary to prepare the compilation and cause the same to be printed, and there will be scant time to be devoted to the most important part of the work—that of codification.

In view of the very limited time allowed, we consider it to be our duty to avail ourselves to the utmost extent of the following provision of section three of the bill: "The commission may \* \* \* \* call upon the supreme court and other state officials and departments for *information and assistance.*"

In order creditably to accomplish this great work, we shall need promptly all the information and assistance we can obtain—and therefore respectfully request you to

First, point out specifically all defects, conflicts, inconsistencies and errors in the laws of the state which you have been able to discover;

Second, rewrite any section or sections of the law which, in your judgment, can be made plainer and more concise, without change in the meaning of the law;

Third, make specific suggestions in the form of amendments to sections, or substitutes for sections which in your opinion would improve any of the laws of the state and be for the public benefit. Mere general suggestions will be of small value because of the lack of time to formulate them into amendments, but all specific suggestions will be of great aid to the commission, and much appreciated.

Respectfully,

JAMES H. TREWIN,  
*Chairman.*

J. C. MARRY,  
U. G. WHITNEY,  
*Secretary.*

On motion of Senator Whitmore, the communication was referred to committee No. 2 on judiciary and also ordered printed in the journal.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 the following bills:

House File No. 4, a bill for an act amending section four hundred forty-one (441), supplemental supplement to the code, 1915, as amended by chapter four hundred eight (408), acts of the Thirty-seventh General Assembly, relating to the publication of the proceedings of boards of supervisors in foreign language newspapers, and in other newspapers; recognition of publishers' agreements and requests by boards of supervisors; and repealing section five hundred forty-nine (549), supplement to the code, 1913, relating to the designation of newspapers for the publication of legal notices, and enacting a substitute therefor, and providing for the publication of legal notices and proceedings exclusively in the English language and in newspapers published in the English language.

Also:

House File No. 110, a bill for an act to amend section ten (10) of chapter two hundred ninety (290) of the acts of the Thirty-seventh (37th) General Assembly, and appropriating money for the expenditures of the state board for vocational education.

Also:

House File No. 218, a bill for an act to amend section four thousand eight hundred and ninety-seven-a (4897-a) of the supplement to the code, 1913, relating to the escape of persons committed to the penitentiary or reformatory and providing the jurisdiction of an indictment for the crime of escaping from such prison.

Also:

House File No. 346, a bill for an act to amend section twenty-five hundred seventy-one-a (2571-a), supplement to the code, 1913, relating to quarantine of infectious and contagious diseases.

Also:

House File No. 540, a bill for an act amending section twenty-one (21) of the code relating to witnesses.

Also:

House File No. 541, a bill for an act to repeal section fifty-two hundred sixty-eight (5268) of the code relating to the grand jury and its clerk, and enacting a substitute therefor.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### REPORT OF COMMITTEE.

Senator Kimball, 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. 381, a bill for an act to amend section one (1) chapter one hundred ninety-one (191) Acts of the Thirty-seventh General Assembly relating to soldiers and sailors and widows exemption, 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 all after the enacting clause and substitute therefor the following:

"Section 1. That section one (1), chapter one hundred ninety-one (191), Acts of the Thirty-seventh General Assembly, be and the same is hereby amended by substituting a colon (:) for the final period (.) and adding to said chapter the following: provided, however, that such exemption shall only extend to the period during which such soldier or sailor or widow thereof or the wife or minor child of any such soldier or sailor remains the owner of said property, and upon the sale thereof to any person other than those of the class included in this act, said exemption shall cease, and the property shall be subject to taxation as other property."

CLEM F. KIMBALL, *Chairman.*

Ordered passed on file.

Also:

Your committee on ways and means, to whom was referred Senate File No. 368, a bill for an act to aid in the securing of loans by deserving persons whose business or circumstances are such as to make it desirable or convenient for them to accumulate funds with which to repay such loans by paying into a fund comparatively small amounts at frequent intervals, and to provide for the taxation of corporations engaged in such



loan business, beg leave to report they have had the same under consideration and recommend the same do pass.

CLEM F. KIMBALL, *Chairman.*

Ordered passed on file.

#### SENATE FILE NO. 92 WITHDRAWN.

By unanimous consent Senator Holdoegel withdrew Senate File No. 92 from further consideration.

#### LEAVE OF ABSENCE.

On request of Senator Schaffter, leave of absence was granted Senator Adams for the day.

On request of Senator Ratcliff, leave of absence was granted Senator Van Alstine for the day.

On request of Senator Hale, leave of absence was granted Senator Reed for the day.

#### INTRODUCTION OF BILLS.

By committee on banks and banking, Senate File No. 476, a bill for an act to authorize the Superintendent of Banking to deny a certificate of authority for any proposed new bank or trust company to commence business; to provide a Board of Appeal; and to prohibit any more private banks from commencing business, provided private banks established previous to the date of enactment of said Act are not affected, and to provide publication of said Act.

Read first and second time and 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. 326, a bill for an act to authorize the issuing of drainage bonds as provided by section 1989-a27, chapter 2-a, title X, code supplement, 1913, for account of drainage districts organized under chapter 2-b, title X, supplemental supplement to the code, 1915, and to legalize the organization of such drainage districts and assessments levied and bonds issued in respect thereof.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 twenty-three hundred and nine (2309) of the code, relating to the compensation of commissioners of insanity.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 433, a bill for an act to amend the law as it appears in sections four hundred nine-c (409-c), four hundred nine-d (409-d), four hundred nine-q (409-q), four hundred nine-s (409-s), supplement to the code, 1913, and to add to said chapter and title as additional sections four hundred nine-u (409-u), relating to the care of tuberculosis.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 legalize certain warrants of the city of Perry, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 307, a bill for an act relating to the lien of landlords and bailees and other persons having or claiming a common law or statutory lien upon personal property and providing a method of releasing such liens.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 305, a bill for an act to amend the law as it appears in chapter three hundred and ten (310) of the acts of the thirty-seventh (37th) general assembly, relating to the drawing of grand and petit jurors, fixing the number thereof, and regulating the method and number of challenges, and the method of exercising peremptory challenges, and of selecting the petit jury from the panel.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 279, a bill for an act to amend the law as it appears in section four hundred sixty-eight-a (468-a) of the supplement to the code, 1913.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 90, a bill for an act to amend section three thousand two hundred eighty-four (3284), Supplement to the Code, 1913, relating to notice of hearing provided for the probating of wills.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 25, a bill for an act amending section two thousand five hundred sixty-eight (2668) of the code, relating to the local board of health in towns and cities, and making the health physician a member thereof.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House recedes from its amendment to Senate File No. 168.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 171, a bill for an act to legalize the notice of incorporation of the S. T. Sinnett Company.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 175, a bill for an act to provide for the establishment of part-time schools and classes in aid of vocational and other education for

children holding work permits under the provisions of the law relating to child labor and for certain other minors between the ages of fourteen (14) and sixteen (16) and to provide for compulsory attendance thereon.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 351, a bill for an act to amend section two thousand seven hundred and seventy-one (2771) of the code, relating to filling vacancies on the Board of Directors of school corporations.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 253, a bill for an act to amend section twenty-five hundred twenty-seven-a (2527-a) and section twenty-five hundred twenty-seven-c (2527-c) of the supplement to the code, 1913.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 389, a bill for an act to amend the law as it appears in section 694-c42 of the supplemental supplement to the code, 1915, relating to pay of jurors in municipal courts.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 345, a bill for an act to repeal section thirty-nine thirty (3930), of the code, and to enact a substitute therefor relating to the release of attachments.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has

passed the following bill, in which the concurrence of the Senate is asked:

House File No. 268, a bill for an act to amend section twenty-two hundred and forty-two (2242) of the supplement to the code, 1913, relating to the management of the county home or county farm and providing for the publication of financial statement by the board of supervisors relating to such county farm or county home.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 363, a bill for an act to amend section three hundred fifty-four (354), supplement to the code, 1913, as amended by chapter fifty-nine (59) of the Thirty-seventh General Assembly, relating to compensation of jurors.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 351, a bill for an act to amend section two thousand seven hundred and seventy-one (2771) of the Code, relating to filling vacancies on the Board of Directors of school corporations.

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

House File No. 253, a bill for an act to amend section twenty-five hundred twenty-seven-a (2527-a) and section twenty-five hundred twenty-seven-c (2527-c) of the supplement to the code, 1913, relating to hotel inspection.

Read first and second time and referred to committee on public health.

House File No. 389, a bill for an act to amend the law as it appears in section 694-C42 of the supplemental supplement to the code, 1915, relating to the pay of jurors in municipal Courts.

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

House File No. 345, a bill for an act to repeal section thirty-nine hundred thirty (3930) of the Code, relating to the release of attachments and to enact a substitute therefor.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 268, a bill for an act to amend section twenty-two hundred and forty-two (2242) of the supplement to the code, 1913, relating to the management of the county home or county farm and providing for the publication of a financial statement by the board of supervisors relating to such county farm or county home.

Read first and second time and referred to committee on county and township affairs.

House File No. 363, a bill for an act to amend section three hundred fifty-four (354), supplement to the code, 1913, as amended by chapter fifty-nine (59) of the Thirty-Seventh General Assembly, relating to compensation of jurors.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 326, a bill for an act to authorize the issuing of drainage bonds as provided by Section 1989-a27, Chapter 2-a, Title X, Code Supplement, 1913, for account of drainage districts organized under Chapter 2-b, Title X, Supplemental Supplement to the Code, 1915, and to legalize the organization of such drainage districts and assessments levied and bonds issued in respect thereof.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 391, a bill for an act to legalize certain warrants of the city of Perry, Iowa.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 350, a bill for an to amend Section twenty-three

hundred and nine, (2309) of the code, relating to the compensation of commissioners of insanity.

Read first and second time and referred to committee on county and township affairs.

House File No. 433, a bill for an act to amend the law as it appears in sections four hundred nine-c (409-c), four hundred nine-d (409-d), four hundred nine-q (409-q), four hundred nine-s (409-s), Supplement to the Code, 1913, and to add to said chapter and title as additional sections four hundred nine-u (409-u), relating to the care of tuberculosis.

Read first and second time and referred to committee on public health.

House File No. 307, a bill for an act relating to release of liens on personal property, and providing the manner of making such releases.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 305, a bill for an act to amend the law as it appears in Chapter Three Hundred and Ten (310) of the Acts of the Thirty-seventh (37th) General Assembly, relating to the drawing of grand and petit jurors, fixing the number thereof, and regulating the method and number of challenges, and the method of exercising peremptory challenges, and selecting the petit jury from the panel.

Read first and second time and referred to committee on judiciary No. 2.

#### MOTION TO RECONSIDER FILED.

I move to reconsider the vote by which Senate File No. 227 passed the Senate.

JOHN R. PRICE.

#### AMENDMENTS FILED.

Senator Buser filed the following amendment and asked that it be printed in the journal:

MR. PRESIDENT—I move to amend Senate File No. 128 by inserting the following after the period following the word "Plat" in line ten of section one "Provided that the provisions of this act shall not apply to subdivisions of cities or towns which are divided into lots and blocks and upon which valuable improvements have been made.

Senator Wilson offered the following amendment and asked that it be printed in the journal:

I move to amend Senate File No. 7, by adding thereto the following:—

SEC. 2. That the law as it appears in Section seventeen hundred and fifty-four (1754) of the code be amended by striking from the line six (6) the word "fire."

#### CORRECTION OF JOURNAL.

The journal of March 18th was corrected and approved.

On motion of Senator Kingland, Senate adjourned until 9:00 a. m. Thursday.



# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 20 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. Ralph W. Orr, pastor of the Presbyterian church of Armstrong.

On motion of Senator Kingland rule 33 was suspended for the day.

## PETITIONS AND MEMORIALS.

Senator Fellows presented remonstrances of citizens of Fayette county against hard-surfaced roads.

Referred to committee on highways.

Senator Anderson presented a remonstrance of citizens of Greene county against hard-surfaced roads.

Referred to committee on highways.

Senator Foster presented a petition of Guthrie Center chapter D. A. R. favoring state banner for Iowa.

Referred to committee on military affairs.

Senator Hale presented a remonstrance of citizens of Cedar county against hard-surfaced roads.

Referred to committee on highways.

Senator Foster presented a remonstrance of citizens of Granger against House File No. 6.

Referred to committee on schools.

Senator Brookhart presented a remonstrance of town council of Wellman against utilities commission plan.

Referred to committee on public utilities.

#### CIVIL WAR VETERANS EXCUSED.

Senator Brookhart offered the following resolution and moved its adoption:

*Whereas*, the daughters of the Civil War veterans are tendering the old soldiers of the Capitol a dinner on Saturday, March 22d; and,

*Whereas*, there are a number of Civil War veteran employees of the Senate whose duties require their presence in the Senate at the time of said dinner; and,

*Whereas*, it is the desire of the Senate to honor these Civil War veterans in every consistent way;

*Therefore, Be It Resolved* by the Senate that out of respect for the daughters of the Civil War veterans, and in honor of the Civil War veteran employees of the Senate, the Senate hereby grants said Civil War veteran employees of the Senate leave of absence from their duties in the Senate from 11:45 o'clock A. M. to two o'clock P. M. on Saturday, March 22d.

By unanimous consent, the resolution was taken up, considered and adopted.

#### CONCURRENT RESOLUTION.

Senator Foskett offered the following resolution and moved its adoption:

*Whereas*, the per capita fund authorized by the Thirty-seventh General Assembly for the support of certain institutions under the Board of Control was not sufficient to pay expenses of said institutions owing to the high cost of all commodities bought by said institutions, and

*Whereas*, under the authority of the Executive Council the Auditor was authorized to issue warrants on the State Treasurer which have overdrawn the support fund of these institutions in the hands of the Treasurer, which, together with the amount of the deficit for the present month will amount to the sum of approximately five hundred twenty-five thousand, seven hundred eight dollars and twelve cents (\$525,708.12).

*Therefore, Be It Resolved by the Senate, the House Concurring*, that the Auditor and Treasurer of State are hereby instructed to transfer from the general revenue fund of the State to the support fund of the institutions specified herein the sum of five hundred twenty-five thousand, seven hundred eight dollars and twelve cents (\$525,708.12) or so much thereof as shall be necessary to make up the deficiency in these funds; the amount of deficiency in each institution being as follows:

Institution	Location	Deficit
The Reformatory, Anamosa.....		\$108,412.42
Clarinda State Hospital, Clarinda.....		22,543.24
Soldiers' Orphans' Home, Davenport.....		22,894.35
Training School for Boys, Eldora.....		36,341.67
State Penitentiary, Fort Madison.....		88,412.79
Institution for Feeble Minded Children, Glenwood.....		50,813.76
Independence State Hospital, Independence.....		13,339.17
Soldiers' Home, Marshalltown.....		62,519.80
Training School for Girls, Mitchellville.....		27,018.76
Mt. Pleasant State Hospital, Mt. Pleasant.....		68,446.69
State Sanatorium, Oakdale.....		10,149.32
State Hospital and Colony for Epileptics, Woodward.....		9,816.14
<b>TOTAL.....</b>		<b>\$525,708.12</b>

Laid over under the rules.

#### LEAVE OF ABSENCE.

On request of Senator Hale leave of absence was granted Senator Reed for the day.

#### INTRODUCTION OF BILLS.

By committee on public schools, Senate File No. 477, a bill for an act amending section twenty-eight hundred twenty-d one (2820-d1), supplement to the code, 1913, and relating to the limitation of indebtedness of independent school districts for school houses and additions thereto.

Read first and second time and passed on file.

#### REPORTS OF COMMITTEES.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred House File No. 12, a bill for an act to amend chapter two hundred ninety (290) of the laws of the thirty-seventh General Assembly relating to vocational education, to appropriate to funds for state aid in affording such education and to provide for the expense of administration thereof, beg leave to report they have had the same under consideration and recommend the same be reported out and referred to the appropriation committee with recommendation for passage.

BYRON W. NEWBERRY, *Chairman.*

On motion of Senator Newberry the report of the committee was adopted and the bill referred to committee on appropriations.

Also:

Your committee on public schools, to whom was referred House File No. 196, a bill for an act to amend section two thousand seven hundred ninety-three (2793) of the supplement to the code, 1913, relating to the changing of boundary lines of contiguous school corporations, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Senator Wilson, from the committee on judiciary No. 1, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 1, to whom was referred House File No. 409, a bill for an act to legalize the transfer of funds by the city council of the city of Dubuque, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 397, a bill for an act to amend section forty two hundred thirty (4230) of the Code, 1897, relating to boundaries, 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:

Amend by inserting after words "government survey" in the fifth (5) line of section one (1) the words "and which corners are definitely determined from existing ancient mounments".

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 442, a bill for an act to legalize the plat and dedication of the incorporated town of Long Grove, Scott County, Iowa, beg leave to report they have had the same under consideration and recommend the same be amend as follows; and when so amended the bill do pass:

Amend by striking out all of line one (1) of section one (1), and by striking out the words "records legalized" in the first (1st) line of section two (2).

J. M. WILSON, *Chairman.*

Ordered passed on file.

Senator Mitchell, from the committee on horticulture, submitted the following report:

MR. PRESIDENT—Your committee on horticulture, to whom was referred Senate File No. 345, a bill for an act to amend section 1400-c and 1400-b, supplement to the code, 1913, relating to fruit tree reservations, beg leave to report they have had the same under consideration and recommend the same do pass.

E. E. MITCHELL, *Chairman.*

Ordered passed on file.

#### SPECIAL ORDER.

On motion of Senator Wilson, Senate File No. 24 was made a special order for Friday, March 21st, at 9:30.

#### CORRECTION OF JOURNAL.

The journal of March 19th was corrected and approved.

#### MOTIONS TO RECONSIDER FILED.

I move to reconsider the vote by which Senate File 124 passed the Senate on yesterday, also the vote by which the bill went to its third reading.

- N. BALKEMA.

I move to reconsider the vote by which S. F. 271 failed to pass the Senate, also the vote by which the bill passed to its third reading.

JNO. R. PRICE.

#### THIRD READING OF BILLS.

On motion of Senator Smith, Senate File No. 296, a bill for an act to amend section 2794a of the Supplemental Supplement to the Code, 1915, as amended by chapter 432 of the acts of the 37th general assembly relating to consolidated school districts, with report of committee recommending amendment and passage, was taken up, considered, and the committee report adopted.

The following committee amendment was adopted:

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

SECTION 1. That section twenty-seven hundred ninety-four-a (2794-a) of the supplemental supplement to the code, 1915, as amended by chapter 432 of the acts of the thirty-seventh general assembly be amended by striking therefrom sub-division "a" thereof and inserting in lieu thereof the following:

When a petition describing the boundaries of contiguous territory containing not less than sixteen sections, within one or more counties, ask-

ing for the establishment of a consolidated independent school district and signed by one-third of the qualified voters residing therein, is filed with the county superintendent of the county in which the largest number of qualified voters in the proposed district reside, he shall within ten days give public notice of the place and date when all objections shall be filed. Such petition shall be accompanied by an affidavit showing the number of qualified voters in the proposed consolidated district and in case such district is in two or more counties such affidavit shall show separately, as to each county, the number of qualified voters in the part of each county included in the proposed district. Such affidavit shall be made by some qualified voter residing in the proposed district, and shall be taken as true, unless objections are filed to it prior to the final decision on said petition. All notices under this act shall be by one publication in a newspaper published within the proposed district or if there be none, then in a newspaper having general circulation within the proposed consolidated district. Objections may be made by any person residing upon or owning land within such proposed boundaries or who would be injuriously affected by the formation of the proposed district and shall be on file not later than twelve o'clock noon of the day fixed for receiving objections. Within five days after such filings the county superintendent shall review all papers filed in his office and after careful review and investigation of their merits shall overrule or sustain the objections filed and fix and determine the boundary lines of the proposed consolidated district. In determining these boundaries he shall so locate the boundary lines as will in his judgment form the best possible consolidated district, having due regard also to the welfare of adjoining districts. He shall also notify at once all objectors by registered letter of his decision.

Any person having filed objections and being aggrieved by the ruling of the county superintendent may appeal from his decision to the county board of education within ten days after the decision is rendered, by serving written notice on the said county superintendent. Within five days after said notice has been received, the county superintendent shall file with the county board of education all of the original papers together with his decision and fix the time and place where such appeal will be heard and shall give notice to appellants by registered letters as heretofore provided. The time fixed for such hearing shall be not less than five nor more than fifteen days from the date his decision is rendered. The county board of education shall determine such appeal within five days after the submission thereof which decision shall be final as to said boundaries.

If no objection be filed or if the objections be not sustained, it shall be the duty of the county superintendent with whom said petition has been filed to call an election in the proposed consolidated district, legal notice of which shall be given as hereinbefore provided. At the election all qualified voters residing in the proposed consolidated district shall be entitled to vote by ballot for or against the establishment thereof.

When it is proposed to include in such district a school corporation

containing a city, town or village, with a population of two hundred or more inhabitants, the voters residing upon the territory outside the limits of the said school corporation shall vote separately upon the proposition to create such new district. The judges of said election shall provide separate ballot boxes in which shall be deposited the votes cast by the qualified voters from their respective territory, and if a majority of the votes cast by the qualified voters residing either within or without the limits of the aforesaid school corporation is against the proposition to form a consolidated independent corporation, then the proposed corporation shall not be formed. If a majority of the votes so cast in each territory shall be in favor of such independent organization, the organization of the proposed consolidated independent school corporation shall be completed by the election of a board of directors for said school corporation, as provided in section twenty-seven hundred ninety-five of the code, and when so organized shall not be reduced to less than sixteen sections unless dissolved as provided by law.

No remaining portion of any school corporation from which territory is taken to form such a consolidated independent corporation shall, after the change, contain less than four government sections, which territory shall be contiguous and so situated as to form a suitable corporation. In the formation of such consolidated school corporation the boundary lines shall conform to those of school corporations or sub-districts already established, provided, however that the county board of education on hearing, may fix other boundaries than herein prescribed, when because of meandering streams, irregular boundaries of existing sub-districts or school corporations or the location of highways, the welfare of the consolidated district and adjoining districts may be better served. In case the boundary of such sub-districts be a public highway then the said consolidated district may include such tracts of one hundred sixty acres or less as are contiguous to the said highway. And where after the formation of such consolidated school corporation, there is left in any school township one or more pieces of territory containing four or more government sections, each of such pieces of territory shall thereon become a rural independent school corporation, unless two or more sub-districts remain in a contiguous body, in which event such remaining portion of territory shall constitute a school township, and it shall be the duty of the officers of the former school township to call an election in each of such remaining pieces of territory for the purpose of electing school officers in the manner provided by law for the election of officers in rural independent school and school township corporations.

SEC. 2. This act being deemed of immediate importance shall take effect and be in force when published in the Des Moines Capital and Des Moines Register, newspapers published in Des Moines, Iowa."

Senator Smith offered the following amendments and moved their adoption:

Amend Senate File No. 296 as amended by inserting after the word "therefrom" in line four the words "the first hundred lines of":

Also by striking from line forty-six the word "five" and inserting in lieu thereof the word "ten":

Also by substituting a period (.) for the comma (,) following the word "corporation" in line seventy-one:

Also by striking out all that portion of line 71 following the period (.) and all of lines 72, 73 and 74 and inserting in lieu thereof the following: "Said election shall be called by the same county superintendent and by giving the same notice as provided for the calling of the election to establish said consolidated independent district. At such election two directors shall be chosen to serve until the next annual meeting, two until the second, and one until the third annual meeting thereafter. It is further provided that when a consolidated independent district is so organized it shall not be reduced to less than sixteen sections unless dissolved as provided by law."

The amendments were adopted.

Senator Buser offered the following amendment and moved its adoption.

I move to amend the amendment offered by the committee to Senate File No. 296 by adding at the end of section one the following:

"Provided that in the hearing on an appeal from the decision of the County Superintendent to the county board of education, the County Superintendent shall not sit as a member of the county board of education."

The amendment was lost.

Senator Shane offered the following amendment and moved its adoption:

Amend by striking out the word "two" in line 65, section one, and substituting in lieu thereof the word "four".

The amendment was lost.

Senator Smith 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 vote was:

Ayes, 45.

Adams  
Anderson  
Arney  
Balkema

Ball  
Brookhart  
Broxam  
Buser

Byington  
Cessna  
Coburn  
Edwards



Evans	Kingland	Scott
Fellows	Meredith	Shane
Foskett	Mitchell	Smith
Foster	Nelson	Stephenson
Fralley	Newberry	Stoddard
Greenell	Parker	Taylor
Hale	Pitt	Thompson
Haskell	Price	Van Alstine
Holdoegel	Rainbow	White
Horchem	Ratcliff	Whitmore
Kimberly	Rule	Wilson

Nays, none.

Absent or not voting, 5.

Kimball	Proudfoot	Schaffter
LeCompte	Reed	

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

Senator Haskell was called to the chair at 10:15.

#### THIRD READING OF BILLS.

On motion of Senator Mitchell, Senate File No. 229, a bill for an act to amend section twenty-five hundred and fifty-five of the supplemental supplement to the code, 1915, relating to the shipment of game out of this state, with report of committee recommending passage, was taken up, considered, and the committee report adopted.

Senator Mitchell offered the following amendment and moved its adoption:

I move to amend Senate File No. 229 as follows: By striking out all of said bill after the enacting clause and substituting in lieu thereof the following:

SECTION 1. That all after the word "birds" in the sixth line of Section two thousand five hundred fifty-five (2555), Supplemental Supplement to the Code, 1915, be and the same is hereby stricken out and the following substituted in lieu thereof, ", rabbits or other animals named in this chapter".

Sec. 2. That the word "rabbit" shall be inserted between the word "bird" and "beaver" in the tenth line of Section two thousand five hundred fifty-six (2556), Supplemental Supplement to the Code, 1915, and a comma "," placed after the said word "rabbit" when so inserted.

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption:

I move to amend by adding thereto Section 3 as follows:

"Sec. 3. It shall be the duty of State Agents to strictly enforce this law."

The amendment was adopted.

Senator Parker moved that the bill and all amendments be referred to committee on fish and game.

The motion prevailed.

President Moore resumed the chair at 11:00.

Senator Wilson moved that the vote by which the bill was referred be reconsidered.

The motion prevailed.

Senator Mitchell 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 vote was:

Ayes, 29.

Adams	Fralley	Price
Anderson	Greenell	Rainbow
Arney	Haskell	Rule
Balkema	Holdoegel	Shane
Byington	Horchem	Thompson
Cessna	Kimberly	Van Alstine
Edwards	Kingland	White
Evans	Mitchell	Whitmore
Foskett	Nelson	Wilson
Poster	Pitt	

Nays, 14.

Ball	Hale	Ratcliff
Brookhart	LeCompte	Smith
Buser	Meredith	Stephenson
Coburn	Newberry	Stoddard
Fellows	Parker	

Absent or not voting, 7.

Broxam  
Kimball  
Proudfoot

Reed  
Schaffter

Scott  
Taylor

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Evans offered the following amendment to the title.

I move to amend the title to Senate File No. 229 by adding after the figures "(2555)" the words and figures "twenty-five hundred and fifty-six (2556)."

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Thompson, Special Order No. 27, Senate File No. 365, was reset for a special order at 1:30 this afternoon.

On motion of Senator Holdoegel, Senate File No. 434, a bill for an act to amend chapter seven (7)-A of Title Two (2), Supplemental Supplement to the Code, 1915, defining the residence of State officers and employees, a committee bill, was taken up and considered.

Senator Holdoegel offered the following amendment and moved its adoption:

Amend by changing the period to a comma after the word "spent" in the ninth line and insert the following amendment thereafter:

"except as is or may be by law otherwise provided".

The amendment was adopted.

On motion of Senator Wilson, further action was deferred until consideration of budget bill proposed by committee on departmental affairs.

On motion of Senator Pitt, House File No. 85, a bill for an act requiring the teaching of a course of study in citizenship and patriotism in the public and private schools located within the state of Iowa, and providing for an outline of such course, with report of committee recommending amendment and passage, was taken up, considered, and the committee report adopted.

The following committee amendments were adopted:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. All public, private and parochial schools located within the state of Iowa shall be required to teach American history and civics of the state and nation.

SEC. 2. The superintendent of public instruction shall prepare and distribute to all elementary schools, outlines of courses of study in American History and civics of the state and nation for all grades from five to eight inclusive, and where junior high schools are maintained, in all grades from five to nine, inclusive.

SEC. 3. Public, private and parochial high schools, academies and other institutions ranking as secondary schools which maintain three year courses of instruction shall offer a minimum of instruction in American history and civics of the state and nation to the extent of two semesters and schools of this class which have four year courses shall offer in addition, one semester in social problems or economics.

SEC. 4. The superintendent of public instruction shall distribute to all high schools, academies and institutions ranking as secondary schools, an outline of a course of study in American history, civics of the state and nation, social problems and economics prepared under his direction.

SEC. 5. It is hereby made the duty of all school officers and teachers of Iowa to foster and promote and growth of American patriotism in the public, private and parochial schools. To that end teachers are required to emphasize American ideals in correlation with the teaching of reading, history, geography and civics, paying particular attention to instruction in the history of Iowa and its great citizens, and to conduct opening exercises of a patriotic nature at least once each week, also to plan and carry out programs of an educational inspirational nature twice each school year. The Friday preceding November 11th of each year shall, by proclamation of the Governor and the superintendent of public instruction, be set aside as "Peace Day" and observed by all schools in session. On said day a program shall be given for the purpose of placing special emphasis on the history of Iowa and America, and of their great citizens, to which program each school shall devote not less than one-fourth day.

It is hereby made the duty of the superintendent of public instruction to prepare and distribute sixty days prior to the day thus set aside, such special bulletins and programs as he may deem suitable for use on such occasions, and shall call the special attention of all school authorities to the above provisions.

Also strike out the title and insert in lieu thereof the following:

A bill for an act requiring the teaching of American history and civics in the public, private and parochial schools located within the state of Iowa, and providing for an outline of such courses.

Senator Brookhart offered the following amendment and moved its adoption:

Amend the amendment to Senate File No. 85 by adding at the end of Section 5 the following:

"and the county superintendents of the respective counties shall inspect said schools to see that the provisions of this act are complied with".

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Adams	Foskett	Rainbow
Anderson	Greenell	Ratcliff
Arney	Hale	Rule
Balkema	Holdoegel	Schaffter
Ball	Horchem	Scott
Brookhart	Kimball	Shane
Broxam	Lecompte	Stephenson
Buser	Meredith	Stoddard
Byington	Mitchell	Van Alstine
Cesana	Newberry	Whitmore
Coburn	Parker	Wilson
Edwards	Pitt	
Evans	Price	

Nays, 1.

Smith

Absent or not voting, 12.

Fellows	Kimberly	Reed,
Foster	Kingland	Taylor
Fralley	Nelson	Thompson
Haskell	Proudfoot	White

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 Parker, the Senate adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

## SPECIAL ORDER.

On motion of Senator Foster, Senate File No. 476 was made a special order for Tuesday, March 25th, at 10:30 a. m.

## LEAVE OF ABSENCE.

On request of Senator Anderson, leave of absence was granted Senators Stoddard and Proudfoot for the day.

## REPORTS OF COMMITTEES.

Senator Edwards, from the committee on county and township affairs, submitted the following report:

MR. PRESIDENT—Your committee on county and township affairs, to whom was referred Senate File No. 55, a bill for an act to amend the law as it appears in Section Thirteen Hundred Sixty-six (1366), Supplement to the Code, 1913, relative to Assessors' Books, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs, to whom was referred House File No. 170, a bill for an act to amend section five hundred twenty (520) supplement to the code, 1913, and section five hundred twenty-nine (529) of the code, and to repeal section five hundred thirty (530) and section five hundred thirty-one (531) of the code and to enact substitutes therefor, relating to the duties and compensation of coroners, witnesses and jurors in inquests beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs, to whom was referred Senate File No. 304, a bill for an act to empower the board of supervisors to order the destruction of certain papers and records, 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:

Amend by striking out, in lines two and three, the words, "assessors' books and assessment rolls."

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs, to whom was referred Senate File No. 173, a bill for an act to repeal paragraph One (1) of Section Four Hundred Forty-two (422) of the Code and enact a substitute therefor, and to add to said Section a Paragraph to be known as Five (5), all relative to record of Meetings of Board of Supervisors, 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:

Amend by inserting between the word "highways" and the comma following said word in line Seven of Section One (1) the following, "and drainage districts".

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs, to whom was referred Senate File No. 370, a bill for an act to repeal section one thousand nine (1009) of the Code, relating to the drawing of warrants and enacting a substitute in lieu thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs to whom was referred Senate File No. 388, a bill for an act to amend the law as it appears in section two hundred and fifty-four-a20 (254-a20) of the supplement to the code, 1913, relating to the amount of financial aid to be given to widowed mothers to properly care for their children, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BEN EDWARDS, *Chairman.*

On motion of Senator Edwards, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on county and township affairs to whom was referred Senate File No. 446, a bill for an act to amend section four hundred seventy-three (473) of the Code so as to provide that the board of supervisors and the county auditor shall be required to keep the court room in the court house well heated, lighted and ventilated during the time when court is in session, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BEN EDWARDS, *Chairman.*

On motion of Senator Edwards, the report of the committee was adopted and the bill indefinitely postponed.

Senator Hale, from the committee on board of control, submitted the following report:

MR. PRESIDENT—Your committee on board of control, to whom was referred Senate File No. 165, a bill for an act to amend section 2708 of the supplement to the code, 1913, providing for commitment of certain persons to state institutions, beg leave to report they have had the same under consideration and recommend the same do pass.

J. K. HALE, *Chairman*.

Ordered passed on file.

Also:

Your committee on board of control, to whom was referred House File No. 318, a bill for an act to amend sections 2707-a6 and 2727-a82 and repeal section 2727-a83 of title 13, chapter 11, supplement to code, 1913, relative to the requirements of patients for admission to the tuberculosis sanitarium at Oakdale, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

J. K. HALE, *Chairman*.

Ordered passed on file.

Also:

Your committee on board of control, to whom was referred Senate File No. 394, a bill for an act to provide for the detention of inmates of the institution for feeble-minded children, beg leave to report they have had the same under consideration and recommend the same do pass.

J. K. HALE, *Chairman*.

Ordered passed on file.

Also:

Your committee on board of control, to whom was referred Senate File No. 422, a bill for an act to legalize the title to certain buildings now located upon the grounds of the Iowa State Penitentiary, Fort Madison, Lee County, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

J. K. HALE, *Chairman*.

Ordered passed on file.

#### THIRD READING OF BILLS.

On motion of Senator Thompson, Senate File No. 365, a bill for an act to change the qualifications, terms, membership, compen-



sation and manner of selection of the Board of Railroad Commissioners; to enlarge its powers; grant jurisdiction and certain powers over certain public utilities; to provide for the enforcement of and appeals from its decisions; to repeal section 1068 of the code, 1913, and section 2111 of the code, and all acts and parts of acts in conflict with the provisions of the act, and to provide penalties for violation of the act, was taken up and considered.

Senator Byington offered the following amendment and moved its adoption:

I move to strike out section 28 of the bill and renumber the remaining sections accordingly.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 28.

Adams	Edwards	Newberry
Anderson	Fellows	Parker
Arney	Foster	Pitt
Ball	Frailey	Price
Brookhart	Greenell	Scott
Broxam	Horchem	Shane
Buser	Kingland	Smith
Byington	Meredith	Stephenson
Cessna	Nelson	Taylor
Coburn		

Nays, 17.

Evans	Kimberly	Thompson
Foskett	LeCompte	Van Alstine
Hale	Mitchell	White
Haskell	Rainbow	Whitmore
Holdoegel	Rule	Wilson
Kimball	Schaffter	

Absent or not voting, 5.

Balkema	Ratcliff	Stoddard
Proudfoot	Reed	

The amendment was adopted.

Senator Smith was called to the chair at 2:25.

President Moore resumed the chair at 3:10.

Senator Thompson moved that the bill be re-referred to the committee on public utilities.

Senator Wilson asked for a roll call.

On the question, "Shall the bill be re-referred?" the vote was:

Ayes, 20.

Arney	Horchem	Stephenson
Balkema	Kimball	Taylor
Byington	Kimberly	Thompson
Evans	Newberry	Van Alstine
Fellows	Rainbow	White
Haskell	Rule	Whitmore
Holdoegel	Smith	

Nays, 27.

Adams	Foskett	Nelson
Anderson	Foster	Parker
Ball	Frailey	Pitt
Brookhart	Greenell	Price
Broxam	Hale	Ratcliff
Buser	Kingland	Schaffter
Cessna	LeCompte	Scott
Coburn	Meredith	Shane
Edwards	Mitchell	Wilson

Absent or not voting, 3.

Proudfoot	Reed	Stoddard
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The motion to re-refer was lost.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend the bill by striking out all of section 12 thereof and substituting the following therefor:

SEC. 12. Authority is hereby granted and conferred upon any municipality of the state, by resolution of its council, to regulate and fix the rates or charges of any service rendered or to be rendered by any public utility wholly within such municipality and the provisions of Section 725, Supplement to the Code, 1913, are hereby made applicable to such service. Before establishing any such rates the municipality shall give at least five days written notice to the public utility furnishing such service of the rates proposed to be established, setting forth the facts making such changes desirable and the time when and place where the objections of the utility affected thereby will be heard.

Any public utility may make written application to any municipality for the passage of a resolution authorizing an increase in the rates which such public utility is authorized to charge for any service rendered or to

be rendered wholly within such municipality, setting forth the facts causing the necessity for or desirability of the said increase and the council of such municipality shall hear said application within fifteen days after it is filed with the clerk of said municipality and give the public utility not less than three days written notice of the time and place of said hearing.

Within ten days after the passage of any resolution fixing rates or the taking of any action upon the application of any public utility for an increase in rates the clerk of such municipality shall transmit to the public utility affected thereby a copy of the resolution or record of the action taken duly certified by him. Said notices and copies shall be served and transmitted by being forwarded by registered mail directed to the home office of the public utility affected.

The public utility furnishing such service may appeal from the action of the municipality in fixing such rates or upon the application or its failure to act within thirty days after the filing upon said application, to the Board of Railroad Commissioners. Said appeal shall be taken and perfected by serving a notice of appeal upon the municipality in the manner provided by law for the service of notices in civil actions and the filing of said notice with the return thereon showing said service in the office of the commission all within thirty days after the mailing of said certified copy of resolution fixing rates or within sixty days after the filing of said application for an increase in rates.

Within fifteen days after the service of said notice of appeal, the clerk of said municipality shall prepare a transcript of all of the papers, records and documents on file or appearing of record in his office, pertaining to said matter appealed from and file said transcript in the office of the commission and said transcript together with the notice of appeal shall constitute the complaint of the public utility and be heard and determined in the same manner as other complaints. And if said rates appealed from or rates complained of in the application of the public utility are found to be unfair, unjust, inadequate or unreasonable the board shall determine and fix rates that are fair, adequate and reasonable and certify the same to the municipality which shall at once by resolution establish said rates unless an appeal is taken from the findings of the board as provided in this act. All rates when finally determined shall be certified by the clerk of the municipality to the commission and filed with it. All rates which any municipality or public utility proposes to change shall remain in force so long as an appeal may be taken to the commission and if appealed from until the determination of the appeal by the commission, provided that the commission shall have the same powers pending the determination of an appeal in respect to the application of a public utility for an increase in rates to permit said increased rates applied for to become effective as provided in Section 7 of this act.

The commission may order and any public utility shall have the right to have consolidated the hearing of all complaints on account of rates for service rendered by such utility whenever the determination of important identical issue or issues or important identical fact or facts are necessary

in each appeal, but findings and judgments shall be made and entered separately upon each complaint.

Senator Whitmore filed the following amendments:

I move to amend S. F. 365 by striking from Sec. 1 lines 15, 16, 17, and to and including the word "appointment" in line 18.

I move to amend Senate File No. 365, in Section 7, lines 5 and 6, by striking out the words "at the time of taking effect of this act" and substituting therefor: "January 1, 1919".

SEC. 2. Amend said section by striking out all of lines 20, 21, 22, 23, 24 and 25 down to and including the word "schedule" in line twenty-six and substituting therefor the following: "All rates, rules, regulations, and classifications in force and effect January 1, 1919, shall prevail unless formal complaint shall be made in writing by a municipality or utility company affected by said schedule and filed with the commission within thirty days after this act becomes effective."

Senator Kingland filed the following amendment:

I move to amend the pending bill, Senate File No. 365, by adding to section 13 thereof the following:

"The place of hearing before the railroad commissioners shall be in the municipality where the rates to be modified or concerned are or will be in force."

Senator Thompson moved that permission be given for the withdrawal of Senate File No. 365 from further consideration.

The motion prevailed and the bill was withdrawn.

#### MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in the Senate amendments to House File No. 165, in which the concurrence of the House was asked:

House File No. 165, a bill for an act to amend the law as it appears in paragraph 3, section 1304 of the code, relating to the assessment of taxes.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 392, a bill for an act to amend the law as it appears in chapter fifty-one (51), section one (1), acts of the thirty-seventh (37)

general assembly, relating to community center houses and recreation grounds.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House refuses to concur in Senate Amendments to House File No. 122, in which the concurrence of the House was asked:

House File No. 122, a bill for an act to amend chapter 231, acts of the thirty-seventh general assembly, by increasing the appropriation from \$25,000 to \$75,000.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 64, a bill for an act to amend section seven hundred ninety-two (792) of the code supplement, 1913, and section eight hundred eighteen (818) of the code, relating to public improvements and assessments therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 making an appropriation for the care and comfort of Iowa's returning soldiers and sailors.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 appropriate funds for the construction and equipment of a cottage for the training school for girls at Mitchellville.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 239, a bill for an act to repeal the law as it appears in section 3207 of the code, and to enact a substitute therefor, relative to the petition and notice to sell real estate by a guardian,

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 501, a bill for an act pertaining to instructions to jury.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 322, a bill for an act to repeal section seven hundred thirty-one (731) of the code and enact a substitute therefor relating to the report of trustees of libraries.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 confer additional power on cities now or hereafter having a population of eighty-five (85,000) thousand inhabitants or over, including cities acting under the commission plan of government, relating to municipal court buildings.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 117, a bill for an act making it unlawful to use ferrets to kill or capture rabbits and providing punishment therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 ordinances and amendments to ordinances of the town of Madrid, Boone County, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 459, a bill for an act to legalize an election held in consolidated independent school district of Huron, Des Moines County, Iowa, authorizing the issuance of bonds in the sum of fifty-five thousand dollars (\$55,000), and to validate said bonds.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 303, a bill for an act to repeal section 694-c6 of the supplemental supplement to the code, 1915, and to enact a substitute therefor, providing for the number of judges of the municipal court, and the clerks and bailiffs thereof, and the method of appointment, nomination, and election, and tender of office.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 274, a bill for an act to repeal section 1258-c of the supplement to the code of 1913, and enacting a substitute therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 479, a bill for an act authorizing the governor of the state of Iowa to issue patent conveying to Joseph B. Hill, certain described lands situated in Greene County, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 436, a bill an act to repeal sections 280-a and 280-b, supplement to the code, 1913, and to enact substitutes thereof, in relation to superior court jurors.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 319, a bill for an act to amend the law as it appears in section nine hundred thirty-seven (937), supplemental supplement to the code, 1915, relative to cities under special charters.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 385, a bill for an act to legalize ordinances and amendments to ordinances of the town of Madrid, Boone County, Iowa.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 274, a bill for an act to repeal section 1258-c of the Supplement to the Code of 1913, and enacting a substitute therefor.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 479, a bill for an act authorizing the Governor of the State of Iowa, to issue patent conveying to Joseph D. Hill the following described lands situated and lying in Greene County, State of Iowa, to-wit: The southeast quarter (SE $\frac{1}{4}$ ) of the northwest quarter (NW $\frac{1}{4}$ ) of Section seventeen (17), township eighty-five (85) North, Range thirty (30), West of the fifth (5th) Principal Meridian and containing forty (40) acres, more or less, according to the Government survey.

Read first and second time and referred to committee on public lands.

House File No. 303, a bill for an act to repeal Section six hundred ninety-four-c-6 (694-c-6) of the supplemental supplement to the code of Iowa, 1915, and to enact a substitute therefor providing for the number of judges of the municipal court, and the clerks and bailiffs thereof, and the method of appointment, nomination, and election, and tender of office.

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



House File No. 459, a bill for an act to legalize an election held in consolidated independent school district of Huron, Des Moines, County, Iowa authorizing the issuance of bonds in the sum of Fifty-five thousand dollars (\$55,000), and to validate said bonds.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 117, a bill for an act making it unlawful to use ferrets to kill or capture rabbits and providing punishment therefor.

Read first and second time and referred to committee on fish and game.

House File No. 322, a bill for an act to amend Section seven hundred thirty-one (731) of the code, relating to the report of trustees of libraries.

Read first and second time and referred to committee on public libraries.

House File No. 535, a bill for an act to confer additional power on cities now or hereafter having a population of eighty-five (85,000) thousand inhabitants or over, including cities acting under the commission plan of government, relating to municipal court buildings.

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

House File No. 319, a bill for an act to amend the law as it appears in section nine hundred thirty-seven (937), supplemental supplement to the Code, 1915, relative to cities under special charters.

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

House File No. 64, a bill for an act to amend Section seven hundred eighty-two (782) of the code, relating to the powers of cities and towns in reference to grades and grading.

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

House File No. 436, a bill for an act to repeal Sections two hundred eighty-a (280-a) and two hundred eighty-b (280-b), supplement to the code, 1913, and to enact substitutes in lieu thereof in relation to superior court jurors.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 347, a bill for an act making an appropriation for the care and comfort of Iowa's returning soldiers and sailors.

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

House File No. 502, a bill for an act to appropriate funds for the construction and equipment of a cottage for the training school for girls at Mitchellville.

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

House File No. 501, a bill for an act pertaining to instructions to jury.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 239, a bill for an act to repeal the law as it appears in Section thirty-two hundred seven (3207), of the code, and to enact a substitute therefor relative to the Petition and Notice to sell real estate by guardian.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 392, a bill for an act to amend the law as it appears in chapter fifty-one (51), section one (1), acts of the thirty-seventh (37) general assembly relating to community center houses and recreation grounds.

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

## HOUSE AMENDMENT CONCURRED IN.

Senator Newberry called up Senate File No. 80, amended by the House, and moved that the Senate concur in the following House amendment:

Amend by substituting a comma for the period at the end of the bill and adding thereto the following:

"and by striking out all of said section after the period following the word 'thereon' in the eleventh line."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 42.

Adams	Fralley	Price
Anderson	Greenell	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Rule
Ball	Holdoegel	Schaffter
Brookhart	Horchem	Scott
Byington	Kimberly	Shane
Cessna	Kingland	Smith
Coburn	LeCompte	Stephenson
Edwards	Mitchell	Taylor
Evans	Nelson	Van Alstine
Fellows	Newberry	White
Foskett	Parker	Whitmore
Foster	Pitt	Wilson

Nays, none.

Absent or not voting, 8.

Broxam	Meredith	Stoddard
Buser	Proudfoot	Thompson
Kimball	Reed	

The House amendment having received a constitutional majority was declared to have been concurred in by the Senate.

On motion of Senator Price, Senate adjourned until 9:00 a. m. Friday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 21, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. A. A. Walburn, pastor of the M. E. church of Hamburg.

On motion of Senator Brookhart, rule 33 was suspended for the day.

## PETITIONS AND MEMORIALS.

Senator Foskett presented a remonstrance of members of St. Patrick's Parish of Imogene against the Dean language bill.

Referred to committee on schools.

Senator Stoddard presented a remonstrance of citizens of Woodbury county against hard surfaced roads.

Referred to committee on highways.

Senator Smith presented a remonstrance of citizens of Adair county against the Dean language bill.

Referred to committee on schools.

Senator Holdoegel presented a petition of citizens of Calhoun county in favor of making Federal Farm Loan Bonds legal investments for banks and insurance companies, etc.

Referred to committee on banks and banking.

Senator Holdoegel presented a remonstrance of citizens of Ft. Dodge, Iowa, against Senate File No. 321 by Pitt, relating to combinations, pools and trusts.

Referred to committee on judiciary No. 1.

Senator Holdoegel presented a remonstrance of citizens of Calhoun county, against hard surfaced roads.

Referred to committee on highways.

Senator Holdeoegel presented a remonstrance of citizens of Calhoun county, against use of county funds on road construction.

Referred to committee on highways.

Senator Holdoegel presented a remonstrance of citizens of Webster county against paved roads.

Referred to committee on highways.

Senator Rainbow presented a petition of citizens of Black Hawk county, favoring House File No. 335.

Referred to committee on agriculture.

Senator Rainbow presented a petition of D. A. R. of Cedar Falls, favoring State Flag.

Referred to committee on military affairs.

#### LEAVE OF ABSENCE.

On request of Senator Schaffter, leave of absence was granted Senator Haskell for today and tomorrow.

On request of Senator Stoddard, leave of absence was granted Senator Ratcliff for the day.

On request of Senator Wilson, leave of absence was granted Senator Reed for the forenoon.

On request of Senator Wilson, leave of absence was granted Senator Hale for the afternoon.

On request of Senator Cessna leave of absence was granted Senator Meredith for the day.

#### RESOLUTION PROVIDING FOR SIFTING COMMITTEE.

Senator Whitmore offered the following resolution:

*Be It Resolved by the Senate of the General Assembly of Iowa:*

That the president of the Senate shall on or before March 31, 1919, appoint a sifting committee of seven members to which shall be referred all bills other than appropriation bills, and that beginning Tuesday morning, April 1, 1919, no bills shall be considered except appropriation bills

and bills then upon the Senate calendar unless reported by said sifting committee. And no bills shall be reported or considered by the Senate that have been reported for indefinite postponement.

Laid over under the rules.

#### HOUSE AMENDMENT CONCURRED IN.

Senator Ball called up Senate File No. 42, amended by the House, and moved that the Senate concur in the following House amendment:

By striking out all after the enacting clause and substituting therefor the following:

"That the law as it appears in section one thousand six hundred and fifty-two-d (1652-d), supplement to the code, 1913, be and the same is hereby amended as follows:

By inserting after the word "fund" and before the word "except" in line nine, the words "for not less than five (5) years" and also by adding at the end of said section the following: "If the principal or income in the hands of such trustees is not used in the locality where the extinct local society was situated within the term of five (5) years from the time of the sale or disposition of its property, then the said principal and income, if any, may be used for building or improving other property of the denomination within the territorial limits in which such extinct society was located."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 32.

Anderson	Foskett	Rainbow
Arney	Foster	Rule
Balkema	Frailey	Scott
Ball	Greenell	Smith
Brookhart	Hale	Stephenson
Buser	Kimball	Stoddard
Byington	Kingland	Taylor
Cessna	Mitchell	White
Coburn	Newberry	Whitmore
Edwards	Price	Wilson
Evans	Proudfoot	

Nays, none.

Absent or not voting, 18.

Adams	Kimberly	Rateliff
Broxam	LeCompte	Reed
Fellows	Meredith	Schaffter
Haskell	Nelson	Shane
Holdoegel	Parker	Thompson
Horchem	Pitt	Van Alstine

The House amendment having received a constitutional majority was declared to have been concurred in by the Senate.

#### 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. 14, a bill for an act to amend section 879-e, supplement to the code, 1913, relating to powers of River Front Improvement Commission.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 67, a bill for an act to amend section two thousand five hundred eighty-nine-d, supplement to the code, 1913, relative to the examination of registered pharmacists.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 74, a bill for an act providing for the issuance of licenses by the state game and fish commission to those desiring to catch or kill mussels for commercial purposes. Regulating and providing the manner in which mussels shall be caught or killed, and providing for the opening or closing of certain streams in Iowa for the purpose of catching mussels.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 138, a bill for an act making an appropriation to meet deficiency in fund appropriated by the thirty-seventh general assembly relating to census of resources of men and materials.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE AMENDMENT CONCURRED IN.

Senator Whitmore called up Senate File No. 14, amended by the

House, and moved that the Senate concur in the following amendment:

Amend by inserting after the word "parks," in the fifth line, the words "heretofore under the jurisdiction of the park commissioners or additions acquired thereto,".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 31.

Anderson	Greenell	Rainbow
Arney	Hale	Rule
Balkema	Horchem	Shane
Brookhart	Kimball	Smith
Cessna	Kingland	Stephenson
Coburn	Meredith	Stoddard
Edwards	Mitchell	Taylor
Evans	Newberry	White
Foskett	Price	Whitmore
Foster	Proudfoot	Wilson
Frailey		

Nays, none.

Absent or not voting, 19.

Adams	Holdoegel	Ratcliff
Ball	Kimberly	Reed
Broxam	LeCompte	Schaffter
Buser	Nelson	Scott
Byington	Parker	Thompson
Fellows	Pitt	Van Alstine
Haskell		

The House amendment having received a constitutional majority was declared to have been concurred in by the Senate.

#### REPORTS OF COMMITTEES.

Senator Foskett, from the committee on appropriations, submitted the following report:

**MR. PRESIDENT**—Your committee on appropriations, to whom was referred House File No. 257, a bill for an act to repeal sections 2718-c, 2718-d, 2718-f, supplement to the code, 1913, and to enact substitutes therefor, relating to the required attendance of deaf children and blind children, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.



Also:

Your committee on appropriations, to whom was referred Senate File No. 277, a bill for an act to establish a state psychopathic hospital especially designed, equipped and administered for the care, observation and treatment of persons who are afflicted with abnormal mental conditions, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred House File No. 216, a bill for an act making appropriations for the completion of waterworks at the state hospital for the insane at Cherokee, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 317, a bill for an act authorizing the state of Iowa to improve a short stretch of highway approximately a half mile long, extending through state property along the west shore of Spirit Lake, and appropriating the sum of twelve thousand dollars, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Senator Frailey, from the committee on insurance, submitted the following report:

MR. PRESIDENT—Your committee on insurance, to whom was referred Senate File No. 436, a bill for an act authorizing life insurance companies to act as trustee of the proceeds of certain insurance policies. (This act is additional to chapter six, title nine of the supplement to the code, 1913), beg leave to report they have had the same under consideration and recommend the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

Your committee on insurance, to whom was referred Senate File No. 393, a bill for an act to amend section one thousand seven hundred seventy-three of the code, relative to the annual statement of life insurance companies, beg leave to report they have had the same under consideration and recommend the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

Your committee on insurance, to whom was referred Senate File No. 458, a bill for an act to amend the law as it appears in section eighteen hundred thirty-nine-j (1839-j), supplement to the code, 1913, relating to fraternal beneficiary societies, beg leave to report they have had the same under consideration and recommend the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

Your committee on insurance, to whom was referred Senate File No. 404, a bill for an act to amend chapter 8-b of title IX of the supplement to the code, 1913, as amended, relating to consolidation, reinsurance, proportionate representation, licensing of agents and use of proxies, by adding thereto after section 1821-k thereof a provision of the issuance of a license to nonresidents upon the filing of a bond, beg leave to report they have had the same under consideration and recommend the same do pass.

J. R. FRAILEY, *Chairman.*

Ordered passed on file.

Also:

Your committee on insurance, to whom was referred Senate File No. 112, a bill for an act amending section number eighteen (18) of chapter number four hundred twenty-nine (429) of the laws of the thirty-seventh general assembly, providing for the organizing, admitting, licensing and regulating of insurance companies other than life, by prescribing the amount of capital, etc., beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. R. FRAILEY, *Chairman.*

On motion of Senator Frailey, the report of the committee was adopted and the bill indefinitely postponed.

Senator Evans, from the committee on dairies and food, submitted the following report:

MR. PRESIDENT—Your committee on dairies and food, to whom was referred Senate File No. 254, a bill for an act to amend the law as it appears in section four thousand nine hundred ninety-nine-a eighteen (4999-a18) of the supplement to the code, 1913, relating to duties and powers of commissioner; and to amend the law as it appears in section four thousand nine hundred ninety-nine-a thirty-one b (4999-a31b) of the supplement to the code, 1913, relating to salaries of assistants; and to amend the law as it appears in section four thousand nine hundred ninety-nine-a thirty-one c (4999-a31c) of the supplemental supplement to the code, 1915, relating to labeling of foods; and to amend section four thousand nine hundred ninety-nine-a thirty-one f (4999-a31f) of the supplemental supplement to the code, 1915, relating to the appropriation of the dairy and food department, beg leave to report they have had the same under consideration and recommend the same be referred to committee on appropriations with the further recommendation that the bill do pass.

W. T. EVANS, *Chairman*.

The bill was referred to the committee on appropriations.

Also:

Your committee on dairies and food, to whom was referred House File No. 201, a bill for an act providing a penalty for the willful destruction of food products, beg leave to report they have had the same under consideration and recommend the same do pass.

W. T. EVANS, *Chairman*.

Ordered passed on file.

Senator Taylor, 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. 184, by Whitmore, a bill for an act to amend the law as it appears in chapter 133, acts of the thirty-seventh general assembly, by making all of the provisions of said act applicable to the shipment of liquors to hospitals, and wine for sacramental purposes to regularly ordained ministers, 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:

Amend the title by placing after the word "hospitals" in line four, and by striking out all that follows the word "hospitals" in said line four.

Amend the bill by striking from section 1 all after the semicolon in line eleven, all of line twelve and thirteen, and all of line fourteen up to and including the semicolon; also strike from line fifteen the words "and to such ministers."

T. E. TAYLOR, *Chairman*.

Ordered passed on file.

Senator White, from the committee on motor vehicles, submitted the following report:

MR. PRESIDENT—Your committee on motor vehicles, to whom was referred Senate File No. 301, a bill for an act to amend section 1571-m18, supplement to the code, 1913, relating to motor vehicles, beg leave to report they have had the same under consideration and recommend the same do pass.

H. C. WHITE, *Chairman*.

Ordered passed on file.

Senator Foster, 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. 472, a bill for an act to amend section one thousand three hundred four (1304), supplemental supplement to the code, 1915, relating to property exempt from taxation, beg leave to report they have had the same under consideration and recommend the substitution and passage of the attached committee bill.

JOHN W. FOSTER, *Chairman*.

#### INTRODUCTION OF BILLS.

By committee on ways and means, Senate File No. 478, a bill for an act amending Chapter 2 B, Title VIII, of the Supplement to the Code, 1913, and of the Supplemental Supplement, 1915, and relating to the licensing, numbering, taxing and registering of motor vehicles; defining terms concerning motor vehicles; providing penalties for violation of regulations relating thereto; the apportionment and distribution of motor vehicle taxes and registration fees, and fixing the duties of various officers relative thereto.

Read first and second time and ordered passed on file.

By committee on banks and banking, Senate File No. 479, a bill for an act to amend section one thousand three hundred four (1304), supplemental supplement to the code, 1915, relating to property exempt from taxation.

Read first and second time and ordered passed on file.

By committee on departmental affairs, Senate File No. 480, a bill for an act to amend the law as it appears in Section one hun-

dred sixty-one-a (161-a), Supplement to the Code, 1913, relating to the settlement with state officers,—appointment of expert accountant and assistants, powers of Executive Council, and to enact a substitute therefor.

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

By committee on suppression of intemperance, Senate File No. 481, a bill for an act to authorize any minister, priest or rabbi to obtain a permit authorizing the purchase, transportation, use and possession of sacramental wines used by such ministers, priests or rabbis and providing penalties for the violation.

Read first and second time and ordered passed on file.

Senator White moved that the bill introduced by the committee on ways and means, relating to taxation of motor vehicles, be referred to the committee on motor vehicles.

Senator Kimball raised the point of order that a bill recommended by one committee was not transferrable to another committee,—that a taxation measure could not be transferred from the committee on ways and means.

The president held that the Senate had a right to dispose of any bill as it might see fit, when introduced in the Senate, and might order its reference to any committee.

On the question, "Shall the bill be referred to the committee on motor vehicles?" the vote was:

Ayes, 24.

Adams	Frailey	Rule
Anderson	Greenell	Schaffter
Arney	Hale	Scott
Balkema	Kimberly	Smith
Ball	Parker	Stephenson
Brookhart	Pitt	Stoddard
Coburn	Price	White
Foster	Proudfoot	Wilson

Nays, 18.

Broxam	LeCompte	Shane
Buser	Meredith	Taylor
Byington	Nelson	Thompson
Cessna	Newberry	Van Alatine
Edwards	Rainbow	Whitmore
Foskett		

Absent or not voting, 8.

Evans	Holdoegel	Ratcliff
Fellows	Kingland	Reed
Haskell	Mitchell	

The motion prevailed.

#### SPECIAL ORDER.

On motion of Senator Wilson, Senate File No. 24, special order, was made a special order for Tuesday, March 25th, at 10 o'clock.

#### BILLS SIGNED BY THE GOVERNOR.

A communication was received from the governor saying that he had on March 20, 1919, approved and signed Senate Files Nos. 228 and 253.

#### MOTION TO RECONSIDER TABLED.

Senator White moved that the motion filed by Senator Price to reconsider the vote by which Senate File No. 227 passed the Senate, be laid on the table.

Senator White raised the point of order that the motion to lay on the table was not debatable.

The president held the point of order well taken.

On the question, "Shall the motion to reconsider be laid on the table?" the vote was:

Ayes, 28.

Adams	Foskett	Rainbow
Anderson	Greenell	Rule
Arney	Hale	Schaffter
Balkema	Horchem	Scott
Ball	Kimberly	Shane
Buser	Kingland	Stephenson
Byington	Nelson	Taylor
Coburn	Newberry	White
Evans	Proudfoot	Whitmore
Fellows		

Nays, 9.

Edwards	Meredith	Price
Kimball	Mitchell	Smith
LeCompe	Parker	Wilson

Absent or not voting, 13.

Brookhart	Haskell	Stoddard
Broxam	Holdoegel	Thompson
Cessna	Pitt	Van Alstine
Foster	Ratcliff	
Frailey	Reed	

The motion prevailed.

#### THIRD READING OF BILLS.

On motion of Senator Frailey, Senate File No. 344, a bill for an act to repeal section thirty-two hundred fifty-two (3252) of the code, relating to the acknowledgment and recording of instruments of adoption and enacting a substitute therefor, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking from line four (4) of section one (1) the words "instrument acknowledged and recorded"; also by striking out of lines six (6) and seven (7) the words "before a judge of the district court" and inserting in lieu thereof the following: "in the same manner as deeds conveying real estate are acknowledged,".

Senator Frailey 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 vote was:

Ayes, 41.

Adams	Foskett	Price
Anderson	Frailey	Proudfoot
Arney	Greenell	Rainbow
Balkema	Hale	Rule
Ball	Holdoegel	Schaffter
Brookhart	Horchem	Scott
Broxam	Kimberly	Shane
Buser	Kingland	Smith
Byington	Meredith	Stephenson
Cessna	Mitchell	Van Alstine
Coburn	Nelson	White
Edwards	Newberry	Whitmore
Evans	Parker	Wilson
Fellows	Pitt	

Nays, none.

Absent or not voting, 9.

Foster  
Haskell  
Kimball

LeCompte  
Ratcliff  
Reed

Stoddard  
Taylor  
Thompson

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 Buser, Senate File No. 128, a bill for an act to amend chapter five (5) of title twenty-one (21) to the code, relating to disputed boundaries and the admissibility of evidence to establish the same, was taken up, and considered.

The following amendment was adopted:

Amend by striking from line 3 of section 1 the word "alone".

By unanimous consent, Senator Buser withdrew the following amendment previously filed by him:

Amend Senate File No. 128 by inserting the following after the period following the word "Plat" in line ten of section one: "Provided that the provisions of this act shall not apply to subdivisions of cities or towns which are divided into lots and blocks and upon which saleable improvements have been made."

Senator Balkema was called to the chair at 10:15.

President Moore resumed the chair at 10:30.

The following amendment filed by Senator Meredith was considered:

I move to amend Senate File No. 128 by adding a comma (",") after the word boundary in line three of said bill, and also by adding after the said comma the following:

"except boundary lines of public highways,".

The amendment was lost.

Senator Evans offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and substituting therefor the following:

SECTION 1. That section 4230 of the code of 1897, be amended by striking out the period at the end of said section, and adding thereto the following: "Provided that the boundary lines, when the same are established



from the section corners fixed by the government survey, shall be the true boundary lines of each section and subdivision thereof, regardless of any claim of acquiescence or adverse possession, unless such acquiescence shall be in writing, acknowledged and recorded as provided by law, for the conveyance of real estate.

Sec. 2. That all acts and parts of acts heretofore passed in conflict herewith are hereby repealed.

The amendment was adopted.

Senator Newberry moved that further action be deferred and that the bill be made a special order for Saturday, March 22nd, at 10:30.

The motion lost.

Senator Evans offered the following amendment and moved its adoption:

I move to amend Senate File No. 128 by adding thereto the following: "Sec. 3. Nothing in this act shall affect pending litigation."

The amendment was adopted.

Senator Buser 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 vote was:

Ayes, 33.

Adams	Evans	Mitchell
Anderson	Fellows	Nelson
Arney	Foskett	Parker
Balkema	Frailey	Pitt
Ball	Greenell	Rainbow
Brookhart	Hale	Schaffter
Broxam	Holdoegel	Scott
Buser	Horchem	Stoddard
Cessna	Kimball	Taylor
Coburn	Kimberly	Thompson
Edwards	Kingland	White

Nays, 11.

Byington	Meredith	Shane
Foster	Newberry	Stephenson
Haskell	Proudfoot	Whitmore
LeCompte	Rule	

Absent or not voting, 6.

Haskell  
Ratcliff

Reed  
Smith

Van Alstine  
Wilson

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Evans offered the following amendment to the title and moved its adoption:

Amend the title to Senate File No. 128 by substituting therefor the following, so the title will read

"A bill for an act to amend section 4230 of the Code relating to boundaries."

The amendment was adopted and the title as amended was agreed to.

President pro tem Arney was called to the chair at 11:00.

On motion of Senator Kimball, Senate File No. 73, a bill for an act authorizing the erection of a Soldiers' and Sailors' Memorial in form of a building for the housing of the library and all judicial departments of the state and providing for a Joint Committee to provide plans and contracts, fixing the approximate cost, providing for the erection of the same under section fourteen hundred-two (1400-t2) of the supplement to the code, 1913, and providing for payment of cost of same from funds provided by section fourteen hundred-t (1400-t) of the supplement to the code, 1913, and providing for compensation of Committee, with report of committee on public buildings recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

That there be added to section 2 of the bill the following:

The main hall, corridors and such other portions of the building as the building committee shall designate shall be arranged for tablets, medallions, receptacle for flags, and place for the preservation of trophies and mementoes of such world event as will carry out the purposes of this section.

That the bill be further amended by substituting for the words and figures "1917" and in line four (4) of section 2, the following: "1914".

That the bill be further amended by adding to section four (4) the following:

And the said Building Committee may, if necessary, to provide such suitable building increase the said cost of the same, but not beyond the amount provided by the fund hereinafter referred to.

That the bill be further amended by adding to section five (5) the following:

And out of the proceeds of the fund provided by Chapter two hundred seven (207) of the laws of the Thirty-Seventh General Assembly, including all reimbursements made to such fund from the Federal Government, if any, provided, however, only such portion of said fund shall be so used for the purpose of this act as is unexpended and not needed for the purposes of that act.

Senators Anderson and Newberry offered the following amendment and moved its adoption:

We move to amend Senate File No. 73, by Kimball, as follows:

By striking out the words "soldiers and sailors memorial in form of a building" in lines one and two of the title, and inserting the words "the judiciary and library building" in lieu thereof.

By striking out lines "two, three, four and five" in section two thereof and inserting the words "judiciary and library building" in lieu thereof.

By striking out the word "memorial" in line three of section four thereof, and inserting the word "judiciary and library" in lieu thereof.

By striking out the word "memorial" in line five of section four thereof and inserting the word "judiciary and library" in lieu thereof.

By striking out the word "memorial" in line one of section five thereof, and inserting the word "judiciary and library" in lieu thereof.

Senator Wilson moved that further action be deferred and that Senate File No. 73 be made a special order for Tuesday, March 25th, at 11:00 o'clock.

The motion prevailed.

On motion of Senator Rule, Senate File No. 94, a bill for an act relating to the public health, making and providing penalties for the violations of the provisions thereof, and repealing all acts in conflict herewith, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out the words "is authorized and directed to" and inserting in lieu thereof the word "may" following the word "supervis-

ors" in line six of section thirteen and by striking out the word "to" preceding the word "erect" in line seven of section thirteen; by striking out the word "of" in line eight of section 14 and inserting in lieu thereof the word "or", and by inserting after the word "annually" at the end of line 2 in section 22 the words and figures "for the years 1919 and 1920"; by striking out the words and figures "twenty-five thousand (\$25,000)" in line one of section twenty-two and substituting therefor the words and figures "fifteen thousand (\$15,000)".

By unanimous consent, on request of Senator Rule, the word "or" was stricken from line 8 of section 14.

Senator Rule moved that the rules be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34.

Adams	Foskett	Rule
Anderson	Holdoegel	Schaffter
Arney	Horchem	Scott
Balkema	Kimball	Shane
Brookhart	LeCompte	Smith
Broxam	Mitchell	Stephenson
Byington	Nelson	Stoddard
Cessna	Newberry	Taylor
Coburn	Parker	Van Alstine
Edwards	Proudfoot	White
Evans	Rainbow	Whitmore
Fellows		

Nays, 2.

Buser	Kingland
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Absent or not voting, 14.

Ball	Haskell	Ratcliff
Foster	Kimberly	Reed
Fralley	Meredith	Thompson
Greenell	Pitt	Wilson
Hale	Price	

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

#### VOTE ON SENATE FILE NO. 94 TABLED.

Senator Rule moved that the vote by which Senate File No. 94 passed the Senate be reconsidered, and that the motion to reconsider be laid on the table.

The motion prevailed.

## EXPLANATION OF ABSENCE FROM THE SENATE FLOOR.

My absence from numerous roll calls in the Senate during several days has been caused by the necessity of attending to special committee work in connection with the inquiry into the departments of the state government, now being conducted by the committee on departmental affairs, which will probably be continued for some days.

P. C. HOLDOEGEL.

On motion of Senator Mitchell, Senate adjourned until 1:30 p. m. today.

## AFTERNOON SESSION.

Senate met pursuant to adjournment, President pro tem Arney presiding.

## LEAVE OF ABSENCE.

On request of Senator Anderson, leave of absence was granted Senator Stoddard for the afternoon.

## THIRD READING OF BILLS.

On motion of Senator Holdoegel, House File No. 105, a bill for an act to amend chapter one hundred sixty-four (164), acts of the Thirty-seventh General Assembly, relating to pensions for the survivors of the northern border brigade and surviving widows of members thereof, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Rule offered the following amendment and moved its adoption:

Amend by striking out all after the word "hereby" in the third (3) line of said bill and inserting in lieu thereof the word "repealed".

Senator Holdoegel raised the point of order that the amendment offered was not germane, inasmuch as the amendment sought to repeal the whole law, whereas the bill sought to extend the provisions of the law.

The point of order was held to be well taken.

On motion of Senator Whitmore, the bill was referred to the committee on military affairs.

On motion of Senator Van Alstine, House File No. 103, a bill for an act to amend section twenty-seven hundred ninety-four-a (2794-a), supplemental supplement to the code, 1915, relating to the school taxes levied for general fund, with report of commit-

tee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Alstine moved that the rules be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was :

Ayes, 39.

Adams	Foster	Rainbow
Anderson	Frailey	Reed
Arney	Greenell	Rule
Balkema	Holdoegel	Schaffter
Ball	Kimball	Scott
Brookhart	Kingland	Shane
Broxam	Mitchell	Smith
Buser	Nelson	Stephenson
Byington	Newberry	Taylor
Edwards	Parker	Van Alstine
Evans	Pitt	White
Fellows	Price	Whitmore
Foskett	Proudfoot	Wilson

Nays, none.

Absent or not voting, 11.

Cessna	Horchem	Ratcliff
Coburn	Kimberly	Stoddard
Hale	LeCompte	Thompson.
Haskell	Meredith	

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 Proudfoot, House File No. 234, a bill for an act to amend the law as it appears in section five thousand four hundred sixty-four (5464) of the code relating to judgments of the supreme court in criminal 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 Proudfoot 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 vote was :

## Ayes, 30.

Adams	Fellows	Proudfoot
Anderson	Foskett	Reed
Arney	Foster	Rule
Balkema	Holdoegel	Scott
Ball	Horchem	Shane
Broxam	Kingland	Smith
Byington	Mitchell	Stephenson
Coburn	Nelson	Van Alstine
Edwards	Newberry	White
Evans	Price	Whitmore

## Nays, 8.

Buser	Parker	Schaffter
Frailey	Pitt	Wilson
Greenell	Rainbow	

## Absent or not voting, 12.

Brookhart	Kimball	Ratcliff
Cessna	Kimberly	Stoddard
Hale	LeCompte	Taylor
Haskell	Meredith	Thompson

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 Whitmore, Senate File No. 152, a bill for an act to repeal section twenty-four hundred nineteen (2419) of the code, and enact a substitute therefor, relating to the transportation of intoxicating liquors, providing for the detention of persons and vehicles found illegally transporting such liquors, and making such vehicles a nuisance, and providing for the sale of such vehicles used in the illegal transportation of such liquors, and for payment of fine and costs out of the proceeds of such sale, and for the forfeiture of such liquor, and making the transportation of intoxicating liquors by persons in a vehicle owned by another or that is mortgaged a felony and providing punishment therefor, and providing for the issuance of a search warrant to search vehicles believed to be used in transporting liquor in violation of law and providing for procedure thereunder, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out the word "in" following the word "county" in line 9, Section 2, and inserting in lieu thereof the word "into". Also by

striking out the words "and destroyed" following the word "forfeited" in line 40, Section 4.

Senator Frailey offered the following amendment and moved its adoption:

I move to amend by adding after the word "state" in Section 1, line 7, the words "contrary to the laws thereof".

The amendment was adopted.

By unanimous consent, on request of Senator Whitmore an error in the numbering of the sections was corrected.

Senator Frailey offered the following amendment:

I move to amend by striking from lines 21 and 22, section 1, the words "through which they are transported".

Senator Wilson offered the following as a substitute amendment:

Amend section 1 by adding after the word "transported" in line 21 and before the word "or" the words "for delivery in the state."

Senator Frailey withdrew his amendment.

A roll call was demanded on the substitute amendment.

On the question, "Shall the amendment we adopted?" the vote was:

Ayes, 7.

Broxam	Greenell	Wilson
Buser	Horchem	
Frailey	Mitchell	

Nays, 29.

Adams	Foskett	Reed
Anderson	Poster	Rule
Arney	Hoidoegel	Schaffter
Balkema	Kimball	Shane
Ball	Kingland	Smith
Brookhart	Nelson	Stephenson
Byington	Newberry	Taylor
Cessna	Parker	Van Alstine
Edwards	Proudfoot	Whitmore
Fellows	Rainbow	

Absent or not voting, 14.

Coburn	LeCompte	Scott
Evans	Meredith	Stoddard
Hale	Pitt	Thompson
Haskell	Price	White
Kimberly	Ratcliff	



The amendment was lost.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend the bill by inserting at the end of Section 3 the following:

"Provided, however, unless the said car was stolen and a prosecution instituted for the theft, no claim of any such owner or mortgagee shall avail against such proceedings unless the mortgage or instrument transferring title to the claimed owner was recorded in the proper county at the time such vehicle or receptacle was detained."

The amendment was adopted.

Senator Whitmore moved that the rules be suspended, the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35.

Adams	Foster	Reed
Anderson	Holdoegel	Rule
Arney	Kimball	Schaffter
Balkema	Kingland	Shane
Ball	LeCompte	Smith
Brookhart	Mitchell	Stephenson
Buser	Nelson	Taylor
Byington	Newberry	Van Alstine
Coburn	Parker	White
Edwards	Pitt	Whitmore
Fellows	Proudfoot	Wilson
Foskett	Rainbow	

Nays, none.

Absent or not voting, 15.

Broxam	Hale	Price
Cessna	Haskell	Ratcliff
Evans	Horchem	Scott
Fralley	Kimberly	Stoddard
Greenell	Meredith	Thompson

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 Parker, Senate File No. 402, a bill for an act to punish the making of any false entries upon the books of a corporation or other employer by any officer, agent or employe of

such corporation or employer, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by inserting the word "knowingly" after the word "or" and before the word "authorize" in the second (2nd) line of section one (1).

Senator Whitmore was called to the chair at 3:00 p. m.

Senator Wilson moved that the rules be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 32.

Anderson	Foskett	Reed
Arney	Frailey	Schaffter
Balkema	Greenell	Shane
Ball	Holdoegel	Smith
Brookhart	Horchem	Stephenson
Broxam	Mitchell	Taylor
Buser	Nelson	Van Alstine
Byington	Newberry	White
Coburn	Parker	Whitmore
Edwards	Proudfoot	Wilson
Fellows	Rainbow	

Nays, 2.

Kimball                      Rule

Absent or not voting, 16.

Adams	Kimberly	Ratcliff
Cessna	Kingland	Scott
Evans	LeCompte	Stoddard
Foster	Meredith	Thompson
Hale	Pitt	
Haskell	Price	

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

#### SPECIAL ORDER.

On motion of Senator Pitt, Senate File No. 321 was made a special order for March 26th at 10:00 o'clock.

## SENATE FILE NO. 434 REFERRED.

On motion of Senator Wilson, Senate File No. 434 was referred to the committee on departmental affairs.

## 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 legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants for the town of Dallas Center, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 legalizing certain acknowledgments taken in countries other than the United States.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 453, a bill for an act to legalize the acts and proceedings of the board of supervisors and officers of the county of Palo Alto, state of Iowa, in relation to drainage district number ninety-two (92) within said county.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 456, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants for the town of Adel, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 the law as it appears in section two thousand nine hundred forty-two (2942) of the code, relating to acknowledgments.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 providing for the establishment of levee and drainage districts and improvements in cases where the board of supervisors have heretofore attempted to establish the same under title X, chapter 2, McClain's code of 1888, as amended and where said establishment has failed by reason of the unconstitutionality of said provision, and to provide for the district established under the provisions of this act, taking over and establishing as the improvement of this district and ditch, levee or drain all ready in whole or in part constructed, under said attempted establishment and to assess benefits therefor and to allow damages and to make such ditch, dike or drain, the improvement or a part of the improvement established under this act; and to provide for the levy and collection of taxes to be assessed against the benefited area affected by said improvements for both the cost of construction and any subsequent work done thereon as repairs and for maintenance thereof.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 414, a bill for an act to amend the law as it appears in section 1989-a9, supplement to the code, 1913, as amended by chapter 264 of the acts of the 37th general assembly, by providing for keeping a record of holders of drainage warrants, and for notifying such holders by the county treasurer of funds with which to pay such warrants.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 2589-b, supplement to the code, 1913, relating to the fee to be paid for the holder of a foreign certificate of registration as a pharmacist when issued a certificate in this state.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 470, a bill for an act to amend the law as it appears in section one thousand seventy-six of chapter two, of the supplemental supplement to the code, 1915, by providing for the consolidation of voting precincts into registration districts in all cities in which registration is required, including cities under special charter, at any general, city or special election and providing a method of such consolidation.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 276, a bill for an act to amend the law as it appears in section 3009-n, supplemental supplement to the code, 1915, and repealing section 3009-j, supplemental supplement to the code, 1915, and enacting a substitute therefor relating to weights and measures.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 439, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants for the town of Dallas Center, Iowa.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 471, a bill for an act legalizing certain acknowledgments taken in countries other than the United States.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 453, a bill for an act to legalize the acts and proceedings of the Board of Supervisors and officers of the county of Palo Alto, State of Iowa, in relation to drainage district number ninety-two (92) within said county.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 456, a bill for an act to legalize certain warrants

and the issuance and sale of negotiable bonds funding said warrants for the town of Adel, Iowa.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 424, a bill for an act to amend the law as it appears in section two thousand nine hundred forty-two (2942) of the code, relating to acknowledgments.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 313, a bill for an act providing for the establishment of levee and drainage districts and improvements in cases where the Board of Supervisors have heretofore attempted to establish the same under Title X, Chapter 2, McClain's Code of 1888, as amended and where said establishment has failed by reason of the unconstitutionality of said provision, and to provide for the district established under the provisions of this act, taking over and establishing as the improvement of this district and ditch, levee or drain all ready in whole or in part constructed, under said attempted establishment and to assess benefits therefor and to allow damages and to make such ditch, dike or drain, the improvement or a part of the improvement established under this act; and to provide for the levy and collection of taxes to be assessed against the benefited area affected by said improvements for both the cost of construction and any subsequent work done thereon as repairs and for maintenance thereof.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 414, a bill for an act to amend the law as it appears in section one thousand nine hundred eighty-nine-a nine (1989-a9), supplement to the code, 1913, as amended by chapter two hundred sixty-four (264) of the acts of the 37th General Assembly, by providing for keeping a record of holders of drainage warrants, and for notifying such holders by the county treasurer of funds with which to pay such warrants.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 361, a bill for an act to amend section twenty-

five hundred eighty-nine-b (2589-b), supplement to the code, 1913, relating to the fee to be paid by the holder of a foreign certificate of registration as a pharmacist when issued a certificate in this state.

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

House File No. 470, a bill for an act to amend the law as it appears in Section one thousand seventy-six of Chapter Two, of the Supplemental Supplement to the Code, 1915, by providing for the consolidation of voting precincts into registration districts in all cities in which registration is required, including cities under special charter, at any general, city or special election and providing a method of such consolidation.

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

#### AMENDMENT FILED.

Senator Whitmore filed the following amendment and asked that it be printed in the journal:

I move to amend Senate File 481 by adding thereto at the end of Section 2, the following:

3. That such wine is intended and shall be used only for sacramental and shall not be used for any other purpose.

#### CORRECTION OF JOURNAL.

The journal of March 20th was corrected and approved.

On motion of Senator Rule, Senate adjourned until 9 a. m. Saturday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 22, 1919.

Senate met in regular session, President pro tem Wallace H. Arney presiding.

Prayer was offered by Rev. W. S. Harries, pastor of the Highland Park Presbyterian church of Des Moines.

On motion of Senator Price, rule 33 was suspended for the day.

## LEAVE OF ABSENCE.

On request of Senator Kingland, leave of absence was granted Senator Nelson for the day.

On request of Senator Cessna leave of absence was granted Senator Meredith for the day.

On request of Senator Rule, leave of absence was granted Senators Pitt and Haskell for the day.

On request of Senator Wilson, leave of absence was granted Senator Hale for the day.

## PETITIONS AND MEMORIALS.

Senator Fellows presented a remonstrance of citizens of Fayette county opposing the passage of autocratic medical measures.

Referred to committee on public health.

Senator Fellows presented a remonstrance of citizens of Fayette county against hard surfaced roads.

Referred to committee on highways.

Senator Smith presented a remonstrance of members of St. Joseph church of Winterset against the Dean language bill.

Referred to committee on schools.



Senator Foskett presented a petition of citizens of Page county favoring federal farm loan bonds as legal investments for fraternal societies, etc.

Referred to committee on banks and banking.

The roll was called to ascertain if a quorum were present, which showed as follows:

Present, 29.

Anderson	Fellows	Rule
Arney	Foskett	Schaffter
Balkema	Foster	Smith
Ball	Greenell	Stephenson
Brookhart	Horchem	Stoddard
Buser	Mitchell	Taylor
Cessna	Price	White
Coburn	Proudfoot	Whitmore
Edwards	Rainbow	Wilson
Evans	Reed	

Absent, 21.

Adams	Kimball	Parker
Broxam	Kimberly	Pitt
Byington	Kingland	Ratcliff
Frailey	LeCompte	Scott
Hale	Meredith	Shane
Haskell	Neison	Thompson
Holdoegel	Newberry	Van Alstine

A quorum was declared to be present.

#### 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. 65, a bill for an act to repeal section six hundred seventy-four (674), supplement to the code, 1913, and enacting a substitute therefor, relating to the compensation of city assessors.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 76, a bill for an act to amend the law as it appears in section 1101, supplemental supplement to the code, 1915, relating to the withdrawal of candidates regularly nominated for office.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 340, a bill for an act to amend chapter forty-eight (48) of the acts of the thirty-sixth general assembly, relating to sewers under and pavement upon principal streets or highways leading into and out of cities.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE AMENDMENT CONCURRED IN.

Senator Whitmore called up Senate File No. 65, amended by the House, and moved that the Senate concur in the following House amendments:

Amend the title by inserting the words "and town" before the word "assessors."

First, by inserting after the word "assessors" in the first line of section two the words "and assessors in cities of the second class,".

Second, by striking out of the fifth line of section two the words "and second"; also the words "special charter cities and" in the same line of said section.

Third, by striking out the word "may" in the seventeenth line of section two and insert in lieu thereof the word "shall".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 29.

Anderson	Foskett	Scott
Arney	Foster	Smith
Balkema	Greenell	Stephenson
Ball	Mitchell	Stoddard
Brookhart	Parker	<b>Taylor</b>
Cessna	Proudfoot	Thompson
Coburn	Rainbow	White
Edwards	Reed	Whitmore
Evans	Rule	Wilson
Fellows	Schaffter	

Nays, none.

Absent or not voting, 21.

Adams	Holdoegel	Nelson
Broxam	Horchem	Newberry
Buser	Kimball	Pitt
Byington	Kimberly	Price
Fralley	Kingland	Ratcliff
Hale	LeCompte	Shane
Haskell	Meredith	Van Alstine

The House amendments, having received a constitutional majority, were declared to have been concurred in by the Senate.

#### THIRD READING OF BILLS.

On motion of Senator Schaffter, Senate File No. 188, a bill for an act to amend section eight hundred ninety-four (894), Supplement to the Code, 1913, in paragraph three (3) thereof, in relation to sewer fund levied annually by cities, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent on request of Senator Schaffter, the word "semicolon" was stricken from line 9 of section 1, and a semicolon ";" was inserted after the word "district" in the same line.

Senator Schaffter moved that the rules be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 32.

Adams	Foskett	Rainbow
Anderson	Foster	Ratcliff
Arney	Fralley	Schaffter
Balkema	Greenell	Scott
Ball	Holdoegel	Smith
Brookhart	Kimball	Stoddard
Buser	Kingland	Thompson
Coburn	Mitchell	White
Edwards	Newberry	Whitmore
Evans	Parker	Wilson
Fellows	Proudfoot	

Nays, 2.

Price                      Rule

Absent or not voting, 16.

Broxam	Kimberly	Shane
Byington	LeCompte	Stephenson
Cessna	Meredith	Taylor
Hale	Nelson	Van Alstine
Haskell	Pitt	
Horchem	Reed	

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 Parker, Senate File No. 322, a bill for an act to empower and authorize the grading, paving and curbing of certain streets and highways by the joint action of counties, cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent, on request of Senator Parker, the following corrective changes were made in the bill.

Strike out the word "counties" in line 15 of Section 2, and insert in lieu thereof the word "county". Strike out "Chapter 12" in line 9 of Section 6, and insert in lieu thereof "Chapters 7 and 12". Strike out the words "Chapter 12" in line 3 of Section 8, and insert in lieu thereof the words "Chapters 7 and 12".

Senator Parker moved that the rules be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28.

Adams	Holdoegel	Rule
Anderson	Horchem	Schaffter
Arney	Kimball	Stephenson
Balkema	Kingland	Stoddard
Coburn	Mitchell	Thompson
Evans	Newberry	White
Fellows	Parker	Whitmore
Foskett	Proudfoot	Wilson
Foster	Rainbow	
Greenell	Reed	

Nays, 7.

Ball	Edwards	Taylor
Buser	Price	
Cessna	Ratcliff	

Absent or not voting, 15.

Brookhart	Haskell	Pitt
Broxam	Kimberly	Scott
Byington	LeCompte	Shane
Frailey	Meredith	Smith
Hale	Nelson	Van Alstine

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, Senate File No. 7, a bill for an act to amend the law as it appears in section seventeen hundred fifty-four (1754) of the Code, relating to combination by insurance companies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson moved the adoption of the following amendment previously filed by him:

I move to amend Senate File No. 7, by adding thereto the following:

SEC. 2. That the law as it appears in Section seventeen hundred and fifty-four (1754) of the code be amended by striking from line six (6) the word "fire".

The amendment was adopted.

Senator Wilson moved that the rules be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36.

Adams	Foster	Rule
Anderson	Greenell	Schaffter
Arney	Horchem	Shane
Balkema	Kimball	Smith
Ball	Kingland	Stephenson
Brookhart	Mitchell	Stoddard
Buser	Newberry	Thompson
Cessna	Parker	White
Coburn	Price	Whitmore
Edwards	Proudfoot	Wilson
Evans	Rainbow	
Fellows	Ratcliff	
Foskett	Reed	

Nays, none.

Absent or not voting, 14.

Broxam	Holdoegel	Pitt
Byington	Kimberly	Scott
Frailey	LeCompte	Taylor
Hale	Meredith	Van Alstine
Haskell	Nelson	

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. 293, a bill for an act to amend section 1989-A3 of the Supplement to the Code, 1913, relating to the manner of giving notice to owners, lien holders and encumbrancers of property within a city or town of its inclusion within a proposed drainage district, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Thompson was called to the chair at 9:50.

By unanimous consent the words "of Iowa" following the word "code" were stricken from line 2 of Section 1.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 36.

Adams	Holdoegel	Rule
Anderson	Horchem	Schaffter
Balkema	Kimball	Shane
Ball	Kingland	Smith
Brookhart	Mitchell	Stephenson
Buser	Newberry	Stoddard
Cessna	Parker	Taylor
Coburn	Price	Thompson
Edwards	Proudfoot	Van Alstine
Evans	Rainbow	Whitmore
Fellows	Ratcliff	Wilson
Foskett	Reed	
Frailey		

Nays, none.

Absent or not voting, 14.

Arney	Hale	Nelson
Broxam	Haskell	Pitt
Byington	Kimberly	Scott
Foster	LeCompte	White
Greenell	Meredith	

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

Senator Wilson moved that the vote by which Senate File No. 7 passed the Senate be reconsidered, which motion prevailed.

Senator Wilson moved that the vote by which the bill passed to its third reading be reconsidered, which motion prevailed.

By unanimous consent, Senator Wilson withdrew the amendment offered by him and which was adopted.

Senator Wilson moved that the rules be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36.

Adams	Holdoegel	Schaffter
Anderson	Horchem	Shane
Arney	Kimball	Smith
Balkema	Mitchell	Stephenson
Ball	Newberry	Stoddard
Brookhart	Parker	Taylor
Buser	Price	Thompson
Cessna	Proudfoot	Van Alstine
Coburn	Rainbow	White
Edwards	Ratcliff	Whitmore
Evans	Reed	Wilson
Fellows	Rule	
Foskett		

Nays, none.

Absent or not voting, 14.

Broxam	Hale	Meredith
Byington	Haskell	Nelson
Foster	Kimberly	Pitt
Frailey	Kingland	Scott
Greenell	LeCompte	

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

#### SPECIAL ORDER.

On motion of Senator Whitmore, Senate File No. 475 was made a special order for Tuesday, March 25th at 10:30.

#### REPORTS OF COMMITTEES.

Senator Rule, from the committee on military affairs, submitted the following report:

MR. PRESIDENT—Your committee on military affairs, to whom was referred Senate File No. 459, by Rule, a bill for an act amending section nine (9), Chapter three hundred fourteen (314) Acts of the Thirty-seventh General Assembly, relating to Militia allowances and the Military Code of Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

A. L. RULE, *Chairman.*

Ordered passed on file.

Also:

Your committee on military affairs to whom was referred House File No. 376, by committee on military affairs, a bill for an act adopting a state emblem for the State of Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

A. L. RULE, *Chairman.*

Ordered passed on file.

Also:

Your committee on military affairs to whom was referred Senate File No. 318, by Rainbow, a bill for an act to amend the law as it appears in Chapter 191 of the Acts of the Thirty-seventh General Assembly relating to exemption from taxation of property of soldiers, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. L. RULE, *Chairman.*

On motion of Senator Rule, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on military affairs to whom was referred Senate File



No. 463, by Greenell, by request, a bill for an act to add to Section four hundred thirty-two (432) of the Code of 1897 relating to the Soldiers' relief commission by providing a compensation to be paid the members of said commission, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. L. RULE, *Chairman.*

On motion of Senator Rule, the report of the committee was adopted and the bill indefinitely postponed.

Senator Coburn, from the committee on agriculture, submitted the following report:

MR. PRESIDENT—Your committee on agriculture, to whom was referred Senate File No. 299, a bill for an act to repeal the law as it appears in Section Two Thousand Nine Hundred Ninety-two (2992) of the Code, and to enact a substitute therefor giving the landlord a lien upon the crops and personal property of the tenant, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on judiciary No. 2.

GEO. F. COBURN, *Chairman.*

On motion of Senator Coburn, the report of the committee was adopted and the bill referred to committee on judiciary No. 2.

Also:

Your committee on agriculture, to whom was referred Senate File No. 212, a bill for an act to repeal sections 2538-w3, Supplemental Supplement to the Code, 1915, 2538-w4, Supplement to the Code, 1913, 2538-w5 of the Supplemental Supplement to the Code, 1915, and 2538-w6 and 2538-w7 of the Supplement to the Code, 1913, and 2538-w8 and 2538-w12 of the Supplemental Supplement to the Code, 1915, and 2538-w9, 2538-w10, 2538-w11, of the Supplement to the Code, 1913, and to enact substitutes therefor regulating and licensing the manufacture, sale and use of Anti-hog-cholera serum and Hog-cholera virus and providing penalties for violation of the provisions of this act, beg leave to report they have had the same under consideration and recommend the substitution of the attached committee bill.

GEO. F. COBURN, *Chairman.*

Senator Parker, 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. 443, a bill for an act to amend the law as it appears in Section eight hundred seventy-nine-r (879-r), Supplemental Supplement to the Code, 1915, affecting Juvenile Playgrounds, beg leave

to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Also:

Your committee on cities and towns, to whom was referred Senate File No. 423, a bill for an act to amend the law as it appears in paragraph Five (5) of Section eight hundred ninety-four (894) of the Code, relating to the levying of taxes for waterworks, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred Senate File No. 426, a bill for an act to amend Section two hundred fifty-four-a22 (254-a22) of the Supplement to the Code, 1913, relating to the Juvenile Court, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman.*

On motion of Senator Parker, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on cities and towns, to whom was referred Senate File No. 491, a bill for an act to amend Section eight hundred forty-three (843) of the Code, relating to bonds issued to pay the cost of street improvements, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns to whom was referred Senate File No. 343, a bill for an act to amend Section fifteen hundred seventy-one-m twenty (1571-m 20) of the Supplement to the Code, 1913, and relating to the powers of local authorities and ordinances regulating motor vehicles and relating to the registration of motor vehicles by local authorities, beg

leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns to whom was referred Senate File No. 186, a bill for an act to create an Iowa State Board of Engineering Examiners; to provide for the examination and registration of professional engineers and land surveyors; and to fix penalties for the violation of this act, beg leave to report they have had the same under consideration and recommend the same be reported out without recommendation.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns to whom was referred Senate File No. 270, by Parker, a bill for an act authorizing cities of the first class to establish and maintain lighting installation along both sides of public streets and tax the cost thereof against owners of property fronting on said streets, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman*.

On motion of Senator Parker, the report of the committee was adopted and the bill indefinitely postponed.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred House File No. 332, a bill for an act to repeal the law as it appears in section two thousand seven hundred and thirty-four-p (2734-p), supplement to the Code, 1913, and to enact a substitute therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Also:

Your committee on public schools to whom was referred House File No. 351, a bill for an act to amend section two thousand seven hundred and

seventy-one (2771) of the Code, relating to filling vacancies on the Board of Directors of school corporations, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Senator Ball, from the committee on public health, submitted the following report:

MR. PRESIDENT—Your committee on public health, to whom was referred House File No. 255, by Moore and McFarlane, a bill for an act to repeal Sec. 2514-h, 2514-m, 2514-q, 2514-s, 2514-t, of the Sup. to Code 1913, and enact substitutes therefor, also amend Sec. 2514-u, and 2514-w, of the Sup. to the Code 1913, relating to the inspection of hotels and licensing thereof, beg leave to report they have had the same under consideration and recommend the same be returned to the House for engrossment.

GEO. W. BALL, *Chairman.*

Adopted.

Senator Brookhart, from the committee on corporations, submitted the following report:

MR. PRESIDENT—Your committee on corporations, to whom was referred Senate File No. 118, a bill for an act to repeal sections sixteen hundred fourteen-c (1614-c), sixteen hundred fourteen-d (1614-d), sixteen hundred fourteen-e (1614-e), sixteen hundred fourteen-f (1614-f), sixteen hundred fourteen-g (1614-g), sixteen hundred fourteen-h (1614-h), sixteen hundred fourteen-i (1614-i), sixteen hundred fourteen-j (1614-j), sixteen hundred fourteen-k (1614-k) of the supplement to the code, 1913, relating to annual reports by corporations and to enact a substitute therefor, and making provision for forfeiture and cancellation of charter, and right to do business in this state, 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:

Amend by striking out the title and in lieu thereof inserting the following:

"To amend sections sixteen hundred fourteen-f (1614-f), sixteen hundred fourteen-g (1614-g), sixteen hundred fourteen-h (1614-h), and sixteen hundred fourteen-i (1614-i) of the supplement to the code, 1913, relating to annual reports by corporations, and making provision for forfeiture and cancellation of the corporate charter, and rights to do business in this state."

Further by striking out all after the enacting clause and in lieu thereof inserting the following:

SECTION 1. That section sixteen hundred fourteen-f (1614-f) of the supplement to the code, 1913, be, and the same is hereby, amended by placing a comma after the word "shall" in the fifth line of said section, and also by inserting after the said word "shall" the following words: "in addition to the annual fee of one dollar required," and also by inserting a comma after the said word "required;" that said section be further amended by striking out the word "two" in the seventh line of said section and inserting in lieu thereof the word "one"; also by striking out the word "four" in the seventh line of said section and inserting in lieu thereof the word "two"; also by striking out the word "six" in the eighth line of said section and inserting in lieu thereof the word "three"; also by striking out the word "eight" in the ninth line of said section and inserting in lieu thereof the word "four"; also by striking out the word "ten" in the tenth line of said section and inserting in lieu thereof the word "five". That said section be further amended by striking out the word "May" in the tenth line of said section and inserting in lieu thereof the word "January"; also by striking out the following words in the eighteenth line of said section, and commencing at the first of said line, to wit: "first day of May, nineteen hundred ten, and the"; also by striking out the word "May" in the eighteenth line of said section wherein it is used the second time and inserting in lieu thereof the word "February"; also by inserting after the word "corporation" in the twentieth line of said section the following words: "in the manner provided by section sixteen hundred and seventeen of the code" and by inserting a comma after the word "code".

SEC. 2. That section sixteen hundred fourteen-g (1614-g) of the supplement to the code, 1913, be and the same is hereby amended by striking out the word "April" in the seventh line of said section and inserting in lieu thereof the word "January"; also by striking out the word "May" in the eighth line of said section and inserting in lieu thereof the word "February". That said section be further amended by striking out the period at the end of said section and inserting in lieu thereof a comma, and also by adding after the said comma at the end of said section, the following:

"or, at his discretion, the attorney general may recommend that the secretary of state cancel the name of any delinquent corporation from the list of live corporations in his office, and enter such cancellation on the proper records, and when so cancelled by the secretary of state the corporate rights of any such corporation shall be forfeited and its corporate period terminated on the date such cancellation shall have been entered on the records of his office; provided, however, that the secretary of state shall forward to such corporation, a written notice of the recommendations of the attorney general, such notice to state that unless said corporation shall within sixty days of the date of such notice fully comply with the provisions of this act by filing in the office of the secretary of state any report that may be due and pay all fees and penalties that have accrued, or, in lieu thereof file a proof of publication of notice of dissolution as required by section sixteen hundred seventeen (1617) of the code, a declaration of forfeiture and cancellation will be entered on the records

of his office. After such declaration and forfeiture shall have been entered by the secretary of state on the records of his office such corporation shall not be entitled to exercise the rights of a corporate body, except, it may be allowed a reasonable time to close up its business and wind up its affairs, but no new business shall be transacted. The notice herein provided for, when enclosed in a sealed envelope with legal postage affixed thereon, and addressed to the corporation, shall constitute a legal notice for the purpose of this act, provided, that any corporation whose corporate rights shall have been cancelled and forfeited in the manner provided in this act, or any stockholder or creditor of such corporation may, however, make an application to the executive council in the manner provided in section one hundred seventy-h (170-h), supplement to the code, 1913, for a compromise of the claim of the state for the fee and penalties that may have accrued under the provisions of this chapter, and upon payment of the secretary of state the fee or fees that may have accrued, and such amount in addition thereto as penalties as may be fixed by the executive council, and also, upon filing such annual reports as may be delinquent, the secretary of state shall reinstate said corporation and the decree of cancellation and forfeiture previously entered shall be annulled and the corporation shall be entitled to continue to act as a corporation for the unexpired portion of its corporate period, as fixed by its articles of incorporation and the limitations prescribed by law, with the right of renewal under section sixteen hundred eighteen-a (1618-a), supplement to the code, 1913; provided, however, that no corporation shall be permitted to waive any duty or obligation required of corporations or the payment of any just claim or claims by reason of such cancellation, forfeiture, and reinstatement as herein provided."

SEC. 3. That section sixteen hundred fourteen-h of the supplement to the code, 1913, be, and the same is hereby, amended by striking out the word "May" in the second line of said section and inserting in lieu thereof the word "February".

SEC. 4. That section sixteen hundred fourteen-i (1614-i) of the supplement to the code, 1913, be, and the same is hereby, amended by striking out the figures "1907" in the eighth line of said section and inserting in lieu thereof the figures "1913".

SEC. 5. The fees and penalty provided for in this act shall be a prior lien on any property of the corporation against all persons, whether said property is in the possession of said corporation or otherwise.

J. L. BROOKHART, *Chairman.*

Ordered passed on file.

Also:

Your committee on corporations, to whom was referred Senate File No. 121, a bill for an act ot repeal section sixteen hundred twenty-eight (1628) of the code relating to non-user of franchise by corporations, beg

leave to report they have had the same under consideration and recommend the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

Also:

Your committee on corporations, to whom was referred Senate File No. 303, a bill for an act to amend section sixteen hundred ten (1610) and sixteen hundred eighteen (1618) of the Supplement to the Code, 1913, relating to the duration of a corporation and fees for incorporating, beg leave to report they have had the same under consideration and recommend the same do pass.

J. L. BROOKHART, *Chairman*.

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By committee on agriculture, Senate File No. 482, a bill for an act to repeal Sections Twenty-five hundred thirty-eight-w3 (2538-w3) Supplemental Supplement to the Code, 1915, Twenty-five hundred thirty-eight-w4 (2538-w4) Supplement to the Code, 1913, Twenty-five hundred thirty-eight-w5 (2538-w5) of the Supplemental Supplement to the Code, 1915, and Sections Twenty-five hundred thirty-eight-w6 (2538-w6) Twenty-five hundred thirty-eight-w7 (2538-w7) of the Supplement to the Code, 1913, and Sections Twenty-five hundred and thirty-eight-w8 (2538-w8) and Twenty-five hundred thirty-eight-w12 (2538-w12) of the Supplemental Supplement to the Code, 1915, and Sections Twenty-five hundred thirty-eight-w9 (2538-w9) Twenty-five hundred thirty-eight-w10 (2538-w10) and Twenty-five hundred thirty-eight-w11 (2538-w11) of the Supplement to the Code, 1913, and to enact substitutes therefor regulating and licensing the manufacture, sale and use of anti-hog-cholera serum and hog-cholera virus and providing penalties for violation of the provisions of this act.

Read first and second time and passed on file.

By Senator Wilson, Senate File No. 483, a bill for an act to amend the law as it appears in Sections Sixteen hundred eighty-three-r (1683-r), Sixteen hundred eighty-three-r2 (1683-r2) and

Eighteen hundred twenty-one-c (1821-c), Supplement to the Code, 1913, relating to the compensation of the Commissioner of Insurance and that of the employees of the Insurance Department of Iowa.

Read first and second time and referred to committee on departmental affairs.

CONCURRENT RESOLUTION BY FOSKETT.

Senator Foskett offered the following resolution:

*Whereas*, the chairs now used by the General Assembly have practically outlived their usefulness,

*Therefore, Be It Resolved by the Senate, the House concurring*, that the Executive Council is instructed to purchase from the Board of Control sufficient office chairs for the use of the General Assembly and the officers of the Senate and House, and also a sufficient number of visitors' chairs of a design to match the chairs of the members.

By unanimous consent, the resolution was taken up, considered and adopted.

President pro tem Arney resumed the chair at 10:30.

MOTION TO RECONSIDER CALLED UP.

Senator Brookhart called up the motion filed to reconsider the vote by which Senate File No. 390, relating to delinquent tax sale notices, passed the Senate.

The motion to reconsider prevailed.

On motion of Senator Brookhart, the vote by which the bill passed to its third reading was reconsidered.

Senator Brookhart offered the following amendment and moved its adoption:

I move to amend Senate File No. 390 as follows:

By striking out all of said bill after the enacting clause and substituting in lieu thereof the following:

SECTION 1. That section one thousand four hundred nineteen (1419) Supplement to the code, 1913, be amended as follows: By striking out the words "twenty cents" in line eleven of said section and inserting in lieu thereof the words "forty cents".

Senator Van Alstine offered the following amendment to the pending amendment:



Amend by striking out the words "forty cents" in line 5 of Section 1 and insert in lieu thereof the words "thirty cents".

The amendment was withdrawn.

The amendment offered by Senator Brookhart was adopted.

Senator Brookhart moved that the rules be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Adams	Foskett	Rule
Anderson	Frailey	Schaffter
Arney	Greenell	Scott
Balkema	Holdoegel	Smith
Ball	Horchem	Stephenson
Brookhart	Mitchell	Stoddard
Buser	Newberry	Taylor
Byington	Parker	Thompson
Cessna	Price	White
Coburn	Proudfoot	Whitmore
Edwards	Rainbow	Wilson
Evans	Ratcliff	
Fellows	Reed	

Nays, 2.

Kingland	Shane
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Absent or not voting, 11.

Broxam	Kimball	Nelson
Foster	Kimberly	Pitt
Hale	LeCompte	Van Alstine
Haskell	Meredith	

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 Schaffter, Senate File No. 436, a bill for an act authorizing life insurance companies to act as trustees of the proceeds of certain insurance policies. (This act is additional to chapter six (6), title Nine (IX) of the supplement to the code, 1913), with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schaffter moved that the rules be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

Senator Schaffter moved the previous question, which motion prevailed and the previous question was ordered.

On the question, "Shall the bill pass?" the vote was:

Ayes, 18.

Adams	Frailey	Schaffter
Arney	Hoidoegel	Scott
Balkema	Mitchell	Stoddard
Brookhart	Parker	Van Alstine
Coburn	Ratcliff	Wilson
Foskett	Reed	
	Rule	

Nays, 16.

Anderson	Kingland	Stephenson
Ball	Newberry	Thompson
Buser	Price	White
Byington	Proudfoot	Whitmore
Greenell	Rainbow	
Horchem	Shane	

Absent or not voting, 16.

Broxam	Hale	Nelson
Cessna	Haskell	Pitt
Edwards	Kimball	Smith
Evans	Kimberly	Taylor
Fellows	LeCompte	
Foster	Meredith	

So the bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

On motion of Senator Foskett, Senate File No. 285, a bill for an act to amend section one thousand three hundred three (1303), Supplemental Supplement to the Code, 1915, relating to the levy of taxes for bridge purposes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Buser offered the following amendment and moved its adoption:

I move to amend Senate File Number Two Hundred and eighty-five by striking from section one all that part following the word "amended" in line three thereof and substituting the following: "By adding to said section at the end of sub-division four thereof the following: "provided that in counties having a bonded indebtedness of ten thousand dollars or over, the county board of supervisors may levy not to exceed seven mills."

The amendment was adopted.

Senator Foskett moved that the rules be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 30.

Adams	Evans	Parker
Anderson	Fellows	Rainbow
Arney	Foskett	Reed
Balkema	Foster	Rule
Ball	Frailey	Shane
Brookhart	Greenell	Smith
Buser	Holdoegel	Stephenson
Byington	Horchem	Stoddard
Coburn	Mitchell	Thompson
Edward	Newberry	Wilson

Nays, 5.

Price	Ratcliff	Whitmore
Proudfoot	Taylor	

Absent or not voting, 15.

Broxam	Kingland	Scott
Cessna	LeCompte	Van Alstine
Hale	Meredith	White
Haskell	Nelson	
Kimball	Pitt	
Kimberly	Schaffter	

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 Parker, House File No. 196, a bill for an act to amend section 2793 of the supplement to the code, 1913, relating to the changing of boundary lines of contiguous school corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 36.

Adams	Fellows	Rule
Anderson	Foskett	Schaffter
Arney	Foster	Scott
Balkema	Fralley	Shane
Ball	Greenell	Smith
Brookhart	Horchem	Stoddard
Buser	Mitchell	Taylor
Byington	Newberry	Thompson
Coburn	Parker	Van Alstine
Edwards	Price	White
Evans	Proudfoot	Whitmore
Reed	Ratcliff	Wilson

Nays, none.

Absent or not voting, 14.

Broxam	Kimball	Nelson
Cessna	Kimberly	Pitt
Hale	Kingland	Rainbow
Haskell	LeCompte	Stephenson
Holdoegel	Meredith	

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. 329, a bill for an act to provide for the regulation of traffic in and licensing of dealers in eggs; to prevent fraud and misrepresentation in dealing in and to prevent the sale of eggs unfit for human food, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking from line nine (9) of Section 4 of the bill the figures "\$2.00" and substituting in lieu thereof the words and figures "one dollar, (\$1.00)".

Senator Proudfoot offered the following amendment and moved its adoption:

Amend by striking from line 2 of section 1 the words "or have in his possession."

Senator Foster moved the previous question, on the amendment and the bill. The motion prevailed and the previous question was ordered.

The amendment was lost.

Senator Balkema moved that the rules be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 36.

Adams	Foster	Rule
Anderson	Frailey	Schaffter
Arney	Greenell	Scott
Balkema	Holdoegel	Shane
Ball	Horchem	Smith
Brookhart	Mitchell	Stephenson
Buse	Newberry	Stoddard
Byington	<b>Parker</b>	Thompson
Coburn	Price	Van Alstine
Edwards	Proudfoot	Whitmore
Evans	Rainbow	Wilson
Fellows	Reed	
Foskett		

Nays, none.

Absent or not voting, 14.

Broxam	Kimberly	Pitt
Cessna	Kingland	Ratcliff
Hale	LeCompte	Taylor
Haskell	Meredith	White
Kimball	Nelson	

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 Whitmore, House File No. 201, a bill for an act providing a penalty for the willful destruction of food products, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

Senator Frailey moved that further consideration of House File No. 201 be postponed until regular order of business on Monday morning.

By unanimous consent, on request of Senator Whitmore, the vote by which House File No. 201 passed to its third reading was reconsidered.

## COMMUNICATION FROM THE GOVERNOR.

*To the Members of the Senate and House of the Thirty-eighth General Assembly:*

SIR: Under the provisions of Section 5, Chapter 129, Acts of the Thirty-seventh General Assembly, I am herewith transmitting copy of the Celebration of the Siege of Vicksburg Commission, the original report having been filed in the Executive Office on March 20th, 1919.

Respectfully submitted,

W. L. HARDING,  
*Governor.*

Dated March 22nd, 1919.

Cedar Rapids, Iowa, March 12, 1919.

HON. W. L. HARDING, Governor of Iowa, Des Moines, Iowa.

SIR:—In compliance with Chapter 129, Act of the Thirty-seventh General Assembly of Iowa, making an appropriation of \$40,000 enabling the State of Iowa to assist in the celebration of the Fifty-fourth Anniversary of the Siege and Capture of Vicksburg, Mississippi, the Commission appointed by said act, hereby make the report of its doings.

So far as it was possible the Commission complied with Section One of said Act, every soldier eligible under the Section was given full opportunity to comply with the provisions of the Section, and in no case did the sum exceed \$50.00 for any single person, and that the Governor and his staff were allowed the same and no more than any other person for like service.

SECTION 2: This Section was entirely complied with.

SECTION 3: So far as the first part of this Section refers to the duties of the Commission such details and arrangements were made as was deemed necessary with a strict compliance with the Act. But the following could not be complied with by the Commission as no part of the appropriation was ever paid to the commission, as under the rulings of the Attorney General of the State, all vouchers for transportation issued by the Commission to the several railroads and transportation companies were returned by the several companies direct to the Auditor of State, and the commission had no handling of any part of the appropriation.

SECTION 4: This Section was fully and carefully and laboriously complied with. Many circulars were distributed in various forms and the newspapers were worked to a "finish," all free of costs save the postage and the printing of the circulars, a full and detailed account was heretofore made in compliance with Section 5 of the Act. The Commission after vigorous efforts succeeded in procuring the usual low rate of one cent a mile the round trip, the only expense to the individual was sleeper fare and meals en route, and on these we secured reasonable rates.

Every one eligible under this section was given full and free privileges and the full benefit of the Act and the rules by the Commission. The Commission fully complied with the last requirement of the Section, "serving without compensation," the incidental expenses being, as heretofore stated, reported and paid by the State.

SECTION 5: Unexpended appropriation. As shown in the explanation of Section 3, no part of the appropriation was ever placed in the hands of the Commission, the vouchers issued by the Commission to the several railroads, were by the direction of the Attorney General and Auditor of the State, returned directly to the Auditor of State, and the Commission had no means of knowing how much was paid on each voucher, as some agents charged slightly more and some a little less than the amount designated by the voucher issued by the Commission.

In every respect the celebration was, with a few minor matters, a great success. All who took the trip pronounced it "the trip of my life" and are enthusiastic in their thanks to the Legislature for the appropriation.

No praise is too high for the National officers who had charge of the Jubilee at Vicksburg. Nothing seemed left undone that should have been done for the comfort and pleasure of the Veterans.

The food was abundant and of the best; the sleeping quarters (tents) were ample and the bedding absolutely new and clean.

Herewith please find detailed statement giving in full the amount paid each railroad and paid for Commissioners' expenses and showing balance of the fund unexpended.

Trusting the foregoing may be found complete and satisfactory, we are,

Very respectfully yours,

E. J. C. BEALER,  
DAVID J. PALMER,  
J. O. STEWART,

*Commission.*

By J. O. STEWART, *Secty.*

VICKSBURG JUBILEE.

Report of Auditor of State.

Nov. 12, 1917	Waterloo, Cedar Falls & Northern (tickets)....\$	76.76
Dec. 31, 1917	J. O. Stewart (Trav. Ex.).....	165.43
	E. J. C. Bealer (Trav. Ex.).....	65.72
	Minneapolis & St. Louis (tickets).....	259.46
	Illinois Central (tickets).....	1,770.18
	Chicago, Rock Island & Pacific (tickets).....	8,135.33

	Ft. Dodge, Des Moines & Southern (tickets)...	152.48
	Chicago & Northwestern (tickets).....	2,724.00
	Chicago & Great Western (tickets).....	646.88
	Chicago, Burlington & Quincy (tickets).....	5,032.82
Feb. 2, 1918	Chicago, Milwaukee & St. Paul (tickets).....	3,787.30
Feb. 11, 1918	Chicago, Milwaukee & St. Paul (tickets).....	948.07
	Illinois Central (tickets).....	121.64
	Minneapolis & St. Louis (tickets).....	1.62
Feb. 16, 1918	Chicago, Milwaukee & St. Paul (tickets).....	291.00
July 22, 1918	Chicago & Northwestern (tickets).....	23.50
July 19, 1918	Chicago, Rock Island & Pacific (tickets).....	38.12
	<b>Total</b> .....	<b>\$24,215.31</b>

## REFUND THROUGH SECRETARY OF EXECUTIVE COUNCIL.

Feb. 9, 1918	Refund of transportation account error....	\$ 22.54
April 13, 1918	Refund of transportation account of error..	100.00
	<b>Total</b> .....	<b>\$122.54</b>
	Appropriation .....	\$40,000.00
	Amount expended less refund .....	24,092.77
	<b>Balance in fund</b> .....	<b>\$15,907.23</b>

## ADDENDA:

The planning and carrying the Jubilee to a successful completion was arduous and stupendous, requiring months of hard and incessant labor and attention, which owing to the absence of ourselves on other matters, almost wholly devolved upon Mr. Stewart, who from the passage of the appropriation until the last man was comfortable at home, gave almost his undivided time to the work, and had the work performed by him, free of charge, paying his expenses the same as others on the trip, been hired, would have cost the state not less than three or four hundred dollars.

Therefore, we recommend that he be allowed out of the unexpended appropriation or otherwise a reasonable compensation for his services.

Trusting this will meet with your approval, we are,

Very respectfully yours,

E. J. C. BEALER,  
DAVID J. PALMER,  
*Members of Commission.*

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 passed the following bill in which the concurrence of the Senate is asked:

House File No. 495, a bill for an act to legalize the official acts of certain persons acting as notaries public.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 legalize action of the board of supervisors of Louisa County, Iowa, in purchasing pumping machinery and equipment in levee district number eight (8) and levee district number eleven (11) in said county, and to legalize the levy of taxes therein, and the issuance of bonds.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 497, a bill for an act to amend section twenty-five hundred eighty-five (2585), supplement to the code, 1913, relating to the traveling expenses of the secretary and treasurer of the commission of pharmacy.

W. C. RAMSAY, *Chief Clerk.*

## HOUSE MESSAGES CONSIDERED.

House File No. 495, a bill for an act to legalize the official acts of certain persons acting as notaries public.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 458, a bill for an act to legalize action of the board of supervisors of Louisa County, Iowa, in purchasing pumping machinery and equipment in levee district number eight (8) and levee district number eleven (11) in said county, and to legalize the levy of taxes therein, and the issuance of bonds.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 497, a bill for an act to amend section twenty-five hundred eighty-five (2585), supplement to the code, 1913, relating to the traveling expenses of the secretary and treasurer of the commission of pharmacy.

Read first and second time and referred to the committee on pharmacy.

#### MOTION TO RECONSIDER.

I move to reconsider the vote by which Senate File 436 failed to pass the Senate.

O. A. BYINGTON.

#### SENATE FILE NO. 169 WITHDRAWN.

By unanimous consent, on request of Senator Parker, Senate File No. 169 was withdrawn from further consideration.

#### CORRECTION OF THE JOURNAL.

The journal of March 21st was corrected and approved.

On motion of Senator Mitchell, Senate adjourned until 10:00 Monday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 24, 1919.

Senate met in regular session President Ernest R. Moore presiding.

Prayer was offered by Elder Warren Turner, of the Reorganized Church of Jesus Christ of Clinton.

On motion of Senator Anderson, rule 33 was suspended for the remainder of the session.

## LEAVE OF ABSENCE.

On request of Senator Wilson, leave of absence was granted Senator Hale, for the day.

On request of Senator Pitt, leave of absence was granted Senator Haskell for the day.

## PETITIONS AND MEMORIALS.

Senator Kingland presented a petition of citizens of Osage favoring the protection of fish and game.

Referred to committee on fish and game.

Senator Fellows presented a remonstrance of citizens of Fayette county against hard surfaced roads.

Referred to committee highways.

Senator Greenell presented a remonstrance of citizens of Clinton against House File 117.

Referred to committee on fish and game.

Senator Brookhart presented a remonstrance of citizens of Washington county against bond issue for hard roads.

Referred to committee highways.

Senator Byington presented a petition of Cedar Rapids Woman's Nature Club favoring the protection of quail.

Referred to committee on fish and game.

Senator Kimball presented a petition of Council Bluffs chapter D. A. R. favoring state banner for Iowa.

Referred to committee on military affairs.

Senator Kimball presented a remonstrance of trustees of St. Peters church of Council Bluffs, against House File No. 6.

Referred to committee on schools.

Senator Schaffter presented a petition of Chas. L. Hays of Eldora, favoring sub-committee road bill.

Referred to committee on highways.

Senator Ball presented a remonstrance of citizens of Van Buren county against bond issue for hard roads.

Referred to committee on highways.

Senator Newberry presented a remonstrance of citizens of McGregor against bond issue for hard roads.

Referred to committee on highways.

Senator Nelson presented a remonstrance of members of St. Mary's Parish of Portsmouth against House File No. 6.

Referred to committee on schools.

Senator Nelson presented a petition of citizens of Atlantic favoring Senate File No. 24.

Referred to committee on county and township affairs.

Senator Holdoegel presented a remonstrance of citizens of Calhoun county against taking from the county any of the funds to be used on road construction or the authority in handling said funds for the county.

Referred to committee on highways.

## CONCURRENT RESOLUTION.

Senators Proudfoot and Holdoegel offered the following concurrent resolution:

Concurrent resolution inviting the general conference of the Methodist Episcopal church to hold its quadrennial session of 1920 in the city of Des Moines.

*Whereas*, the General Conference of the Methodist Episcopal church will convene in quadrennial session in the month of May, 1920, and will remain in session throughout the month, and

*Whereas*, said conference will consist of both lay and ministerial delegates from all parts of the civilized world as well as editors and officials connected with the church, the majority of which delegates, however, will come from every state of the union to the number of at least one thousand, and

*Whereas*, a number of other states are making efforts to have said conference locate in some one of the cities of said states, and

*Whereas*, great publicity of the state of Iowa and its resources and institutions will ensue should this gathering be held within the bounds of this state and the value of such a conference to the state and the capital city thereof from many standpoints cannot be easily estimated, and

*Whereas*, the commercial interests of the city of Des Moines are inviting said conference to convene in said city and a committee of location will within the next few days visit Iowa and Des Moines with a view of its availability for the meeting place of said conference,

*Therefore, Be It Resolved by the Senate, the House concurring*, that we hereby supplement the invitation of those having the matter in charge in asking the general conference of the Methodist Episcopal church to come to the state of Iowa and the city of Des Moines for its next quadrennial meeting and hereby extend the hospitality of the state and its people to this notable gathering, reminding the locating committee that Iowa is the greatest agricultural domain of the middle west and that its prosperity and the intelligence and loyalty of its people rank one hundred per cent among all of the states of the union.

*Resolved further*, that an engrossed copy of these resolutions, signed by the president of the Senate and the speaker of the House be delivered to the proper person to be placed in the hands of the committee soon to visit Des Moines as a probable meeting place of said conference.

Dated March 24, 1919.

By unanimous consent the resolution was taken up, considered and adopted.

## REPORTS OF COMMITTEES.

Senator Fellows, from the committee on educational institutions, submitted the following report:

MR. PRESIDENT—Your committee on educational institutions, to whom was referred Senate File No. 295, a bill for an act to establish three additional normal schools; the location to be determined by the state board of education, and making appropriations for purchase of sites, erection of buildings and support of schools, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. M. FELLOWS, *Chairman*.

On the question, "Shall the report of the committee be adopted?" the vote was:

Ayes, 11.

Anderson	Coburn	Proudfoot
Balkema	Fellows	Scott
Ball	Kingland	Stoddard
Byington	Pitt	

Nays, 18.

Adams	Greenell	Rule
Brookhart	Kimball	Schaffter
Broxam	LeCompte	Shane
Foskett	Nelson	Smith
Foster	Parker	Stephenson
Frailey	Price	Wilson

Absent or not voting, 21.

Arney	Holdoegel	Ratcliff
Buse	Horchem	Reed
Cessna	Kimberly	Taylor
Edwards	Meredith	Thompson
Evans	Mitchell	Van Alstine
Hale	Newberry	White
Haskell	Rainbow	Whitmore

The report of the committee was rejected and the bill ordered placed on the calendar.

Also:

Your committee on educational institutions, to whom was referred Senate File No. 364, a bill for an act to establish a normal school at Red Oak, Iowa, and to authorize the state board of education to accept donations of site therefor, beg leave to report they have had the same under

consideration and recommend the same be indefinitely postponed.

A. M. FELLOWS, *Chairman*.

On motion of Senator Fellows, the report of the committee was adopted and the bill indefinitely postponed.

Senator Scott, from the committee on public libraries, submitted the following report:

MR. PRESIDENT—Your committee on public libraries, to whom was referred Senate File No. 291, a bill for an act establishing a medical department of the state library, to provide for the cataloguing and shelving of books thereof, making appropriation therefor, and providing for an assistant librarian, fixing the salary, etc., beg leave to report they have had the same under consideration and recommend the same do pass, and the further recommendation that the same be referred to the appropriations committee.

W. H. SCOTT, *Chairman*.

On motion of Senator Scott, the bill was referred to committee on appropriations.

#### INTRODUCTION OF BILLS.

By committee on insurance, Senate File No. 484, a bill for an act relating to the licensing and qualification of insurance agents, prohibiting the rebating of insurance premiums, and providing a penalty for any violation of this act.

Read first and second time and passed on file.

By committee on insurance, Senate File No. 485, a bill for an act amending section twenty (20), Chapter four hundred twenty-nine (429) acts of the Thirty-Seventh General Assembly, removing discrimination in computation of tax as between mutual and stock, fire and casualty insurance companies.

Read first and second time and passed on file.

#### SENATE FILE NO. 320 REFERRED.

Senator Foster moved that Senate File No. 320 be referred to committee on banks and banking.

On the question, "Shall the motion prevail?" the vote was:

## Ayes, 22.

Adams	Foskett	Shane
Anderson	Foster	Smith
Arney	Horchem	Stephenson
Balkema	Parker	Stoddard
Ball	Rainbow	White
Broxam	Reed	Wilson
Coburn	Rule	
Fellows	Schaffter	

## Nays, 14

Byington	Kimball	Price
Cessna	Kingland	Proudfoot
Evans	Meredith	Scott
Frailley	Newberry	Thompson
Greenell	Pitt	

## Absent or not voting, 14.

Brookhart	Holdoegel	Ratcliff
Buser	Kimberly	Taylor
Edwards	LeCompte	Van Alstine
Hale	Mitchell	Whitmore
Haskell	Nelson	

The motion prevailed and the bill was referred to the committee on banks and banking.

## SENATE FILE NO. 254 REFERRED.

By unanimous consent on suggestion of Senator Foskett, Senate File No. 254, was referred to the committee on departmental affairs.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 276, a bill for an act to amend the law as it appears in section three thousand nine-n (3009-n), supplemental supplement to the code, 1915, and repealing section three thousand nine-j (3009-j), supplemental supplement to the code, 1915, and enacting a substitute therefor relating to weights and measures.

## Also:

Senate File No. 76, a bill for an act to amend the law as it appears in section eleven hundred one (1101), supplemental supplement to the



code, 1915, relating to the withdrawal of candidates regularly nominated for office.

Also:

Senate File No. 340, a bill for an act to amend chapter forty-eight (48) of the acts of the thirty-sixth general assembly, relating to sewers under and pavement upon principal streets or highways leading into and out of cities.

Also:

Senate File No. 42, a bill for an act to amend section sixteen hundred fifty-two-d (1652-d), supplement to the code, 1913, relating to extinct churches.

Also:

Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 99, a bill for an act to repeal section three thousand five hundred thirty-six-a (3536-a), supplement to the code, 1913, relative to the legalizing of decrees of court and affidavits of publication and enacting a substitute therefor.

Also:

Senate File No. 142, a bill for an act to amend chapter five (5), title five (5) of the code, relating to the powers of cities and towns; and providing for the appointment of trustees in cities and towns owning their own waterworks, heating plant, gas works, or electric light or electric power plants; and providing for the duties of such trustees, and fixing their compensation.

Also:

Senate File No. 21, a bill for an act to amend section ten hundred ninety-nine (1099) of the code, and sections eleven hundred and six (1106), eleven hundred and nineteen (1119), eleven hundred and twenty (1120), eleven hundred and fifty (1150), eleven hundred and fifty-one (1151), eleven hundred and fifty-seven (1157), ten hundred and eighty-seven-c (1087-c), and eleven hundred and seventy-three (1173), supplement to the code, 1913, and relating to the election of presidential electors and United States senators and of vote therefor and removal of presidential electors from official ballot, and to the form of ballot, the method of voting and counting the vote of candidates.

Also:

Senate File No. 102, a bill for an act appropriating \$561.52 in favor of P. K. Holbrook for per diem and railroad fare at 2c a mile incurred by

him in discharge of his official duties as a member of the Iowa State Board of Education from July 14, 1915, to October 12, 1916, inclusive.

Also:

Senate File No. 174, a bill for an act to amend section eight hundred nine (809) of the code, relating to the putting in of waterworks connections before permanent improvement of the street, alley or public place where the same is located and the taxing of the cost of same to the property benefited if the property owner fails and neglects to put in the same and pay the cost thereof.

Also:

Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 90, a bill for an act to amend section three thousand two hundred eighty-four (3284), supplement to the code, 1913, relating to notice of hearing provided for the probating of wills.

Also:

Senate File No. 168, a bill for an act providing for the establishment of dental clinics for school children and the offering of certain courses of instruction in certain schools and the employment of dentists and dental hygienists by public school corporations.

Also:

Senate File No. 25, a bill for an act amending section two thousand five hundred sixty-eight (2568) of the code, relating to the local board of health in towns and cities, and making the health physician a member thereof.

Also:

Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 175, a bill for an act to provide for the establishment of part-time schools and classes in aid of vocational and other education for children holding work permits under the provisions of the law relating to child labor and for certain other minors between the ages of fourteen (14) and sixteen (16) and to provide for compulsory attendance thereon.

Also:

Senate File No. 171, a bill for an act to legalize the notice of incorporation of the S. T. Sinnett Company.

Also:

Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 67, a bill for an act to amend section two thousand five hundred eighty-nine-d, supplement to the code, 1913, relative to the examination of pharmacists.

Also:

Senate File No. 80, a bill for an act to amend section three thousand four hundred and thirty-nine (3439) of the supplement to the code, 1913, relating to the limitation of actions on judgments.

Also:

Senate File No. 138, a bill for an act making an appropriation to meet deficiency in fund appropriated under chapter two hundred sixty-five (265), acts of the thirty-seventh general assembly, relating to the census of the resources of the state in men and materials.

Also:

Senate File No. 14, a bill for an act to amend section 879-e, supplement to the code, 1913, relating to powers of river front improvement commission.

Also:

Senate File No. 74, a bill for an act providing for the issuance of licenses by the state game and fish commission to those desiring to catch or kill mussels for commercial purposes, regulating and providing the manner in which mussels shall be caught or killed, and providing for the opening or closing of certain streams in Iowa for the purpose of catching mussels.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 99, a bill for an act to repeal section three thousand five hundred thirty-six-a (3536-a), supplement to the code, 1913, relative to the legalizing of decrees of court and affidavits of publication and enacting a substitute therefor.

Also:

Senate File No. 142, a bill for an act to amend chapter five (5), title five (5) of the code, relating to the powers of cities and towns; and providing for the appointment of trustees in cities and towns owning their own waterworks, heating plant, gas works, or electric light or electric power plants; and providing for the duties of such trustees, and fixing their compensation.

Also:

Senate File No. 21, a bill for an act to amend section ten hundred ninety-nine (1099) of the code, and sections eleven hundred and six (1106), eleven hundred and nineteen (1119), eleven hundred and twenty (1120), eleven hundred and fifty (1150), eleven hundred and fifty-one (1151), eleven hundred and fifty-seven (1157), ten hundred and eighty-seven-c (1087-c), and eleven hundred and seventy-three (1173), supplement to the code, 1913, and relating to the election of presidential electors and United States senators and of vote therefor and removal of presidential electors from official ballot, and to the form of ballot, the method of voting and counting the vote of candidates.

Also:

Your joint committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 276, a bill for an act to amend the law as it appears in section three thousand nine-a (3009-a), supplemental supplement to the code, 1915, and repealing section three thousand nine-j (3009-j), supplemental supplement to the code, 1915, and enacting a substitute therefor relating to weights and measures.

Also:

Senate File No. 76, a bill for an act to amend the law as it appears in section eleven hundred one (1101), supplemental supplement to the code, 1915, relating to the withdrawal of candidates regularly nominated for office.

Also:

Senate File No. 340, a bill for an act to amend chapter forty-eight (48) of the acts of the thirty-sixth general assembly, relating to sewers under and pavement upon principal streets or highways leading into and out of cities.

Also:

Senate File No. 42, a bill for an act to amend section sixteen hundred fifty-two-d (1652-d), supplement to the code, 1913, relating to extinct churches.

Also:

Your joint committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 90, a bill for an act to amend section three thousand two hundred eighty-four (3284), supplement to the code, 1913, relating to notice of hearing provided for the probating of wills.

Also:

Senate File No. 168, a bill for an act providing for the establishment of dental clinics for school children and the offering of certain courses of instruction in certain schools and the employment of dentists and dental hygienists by public school corporations.

Also:

Senate File No. 25, a bill for an act amending section two thousand five hundred sixty-eight (2568) of the code, relating to the local board of health in towns and cities, and making the health physician a member thereof.

Also:

Your joint committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 175, a bill for an act to provide for the establishment of part-time schools and classes in aid of vocational and other education for children holding work permits under the provisions of the law relating to child labor and for certain other minors between the ages of fourteen (14) and sixteen (16) and to provide for compulsory attendance thereon.

Also:

Senate File No. 171, a bill for an act to legalize the notice of incorporation of the S. T. Sinnett Company.

Also:

Your joint committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 67, a bill for an act to amend section two thousand five hundred eighty-nine-d, supplement to the code, 1913, relative to the examination of pharmacists.

Also:

Senate File No. 80, a bill for an act to amend section three thousand four hundred and thirty-nine (3439) of the supplement to the code, 1913, relating to the limitation of actions on judgments.

Also:

Senate File No. 138, a bill for an act making an appropriation to meet deficiency in fund appropriated under chapter two hundred sixty-five (265), acts of the thirty-seventh general assembly, relating to the census of the resources of the state in men and materials.

Also:

Senate File No. 14, a bill for an act to amend section 879-e, supplement to the code, 1913, relating to powers of river front improvement commission.

Also:

Senate File No. 74, a bill for an act providing for the issuance of licenses by the state game and fish commission to those desiring to catch or kill mussels for commercial purposes, regulating and providing the manner in which mussels shall be caught or killed, and providing for the opening or closing of certain streams in Iowa for the purpose of catching mussels.

Also:

Your joint committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 102, a bill for an act appropriating \$561.52 in favor of P. K. Holbrook for per diem and railroad fare at 2c a mile incurred by him in discharge of his official duties as a member of the Iowa State Board of Education from July 14, 1915, to October 12, 1916, inclusive.

Also:

Senate File No. 174, a bill for an act to amend section eight hundred nine (809) of the code, relating to the putting in of waterworks connections before permanent improvement of the street, alley or public place where the same is located and the taxing of the cost of same to the property benefited if the property owner fails and neglects to put in the same and pay the cost thereof.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### CONCURRENT RESOLUTION.

Senator Foskett called up the following concurrent resolution previously offered by him, and moved its adoption:

Whereas, the per capita fund authorized by the Thirty-seventh General Assembly for the support of certain institutions under the Board of Control was not sufficient to pay expenses of said institutions owing to the high cost of all commodities bought by said institutions, and

Whereas, under the authority of the Executive Council the Auditor was authorized to issue warrants on the State Treasurer which have overdrawn the support fund of these institutions in the hands of the Treasurer, which, together with the amount of the deficit for the present month will amount to the sum of approximately five hundred twenty-five thousand, seven hundred eight dollars and twelve cents (\$525,708.12),

Therefore, Be It Resolved by the Senate, the House concurring, that the Auditor and Treasurer of State are hereby instructed to transfer from the general revenue fund of the State to the support fund of the institutions specified herein the sum of five hundred twenty-five thousand, seven hundred eight dollars and twelve cents (\$525,708.12) or so much thereof as shall be necessary to make up the deficiency in these funds; the amount of deficiency in each institution being as follows:

Institution, location.	Deficit.
The Reformatory, Anamosa.....	\$108,412.42
Clarinda State Hospital, Clarinda.....	22,543.24
Soldiers' Orphans' Home, Davenport.....	27,894.36
Training School for Boys, Eldora.....	36,341.67
State Penitentiary, Fort Madison.....	88,412.79
Institution for Feeble Minded Children, Glenwood.....	50,813.76
Independence State Hospital, Independence.....	13,339.17
Soldiers' Home, Marshalltown.....	62,519.80
Training School for Girls, Mitchellville.....	27,018.76
Mt. Pleasant State Hospital, Mt. Pleasant.....	68,446.69
State Sanatorium, Oakdale.....	10,149.32
State Hospital and Colony for Epileptics, Woodward.....	9,816.14
Total .....	\$525,708.12

On the question. "Shall the resolution be adopted?" the vote was:

Ayes, 35.

Adams	Frailey	Ratcliff
Anderson	Greenell	Rule
Balkema	Horchem	Schaffter
Ball	LeCompte	Scott
Broxam	Meredith	Shane
Byington	Nelson	Smith
Cessna	Newberry	Stephenson
Coburn	Parker	Stoddard
Evans	Pitt	Taylor
Fellows	Price	White
Foskett	Proudfoot	Wilson
Foster	Rainbow	

Nays, none.

Absent or not voting, 15.

Arney  
Brookhart  
Buser  
Edwards  
Hale

Haskell  
Hoidoegel  
Kimball  
Kimberly  
Kingland

Mitchell  
Reed  
Thompson  
Van Alstine  
Whitmore

The resolution was adopted.

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate Files Nos. 276, 76, 340, 42, 99, 142, 21, 102, 174, 90, 168, 25, 175, 171, 67, 80, 138, 14 and 74.

#### SENATE RESOLUTION.

Senator Whitmore offered the following resolution:

Senate resolution directing the secretary of the Senate to prepare duplicate of Senate File No. 16 with endorsements as passed by the Senate and transmit the same to the House.

*Whereas*, Senate File No. 16 has heretofore been amended and passed by the Senate and by it transmitted to the House and there has become misplaced, the secretary of the Senate is hereby directed to immediately prepare a duplicate of said bill as so amended and passed, together with Senate endorsements thereon, showing the Senate record on said bill and transmit the same to the House as a duplicate of the original bill.

By unanimous consent, the resolution was taken up, considered and adopted.

#### THIRD READING OF BILLS.

On motion of Senator Adams, Senate File No. 331, a bill for an act to amend section five thousand and seventy six (5076) of the code, in regard to frauds upon hotel keepers and hospitals 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.

By unanimous consent, the words "of the code" were inserted in line 1 of Section 1, following the figures "5076".



Senator Adams 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 vote was:

Ayes, 36.

Adams	Greenell	Ratcliff
Anderson	Horchem	Reed
Balkema	Kingland	Rule
Ball	LeCompte	Scott
Brookhart	Meredith	Shane
Broxam	Nelson	Smith
Byington	Newberry	Stephenson
Coburn	Parker	Stoddard
Evans	Pitt	Taylor
Fellows	Price	White
Foskett	Proudfoot	Wilson
Foster	Rainbow	
Frailey		

Nays, none.

Absent or not voting, 14.

Arney	Haskell	Schaffter
Buser	Holdoegel	Thompson
Cessna	Kimball	Van Alstine
Edwards	Kimberly	White
Hale	Mitchell	

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, House File No. 233, a bill for an act to amend the law as it appears in section two thousand seven hundred and seventy three (2773) supplement to the Code, 1913, relating to the powers of school boards for fixing length of term, and in providing means of transportation for pupils, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On motion of Senator Taylor, the vote by which the bill passed to its third reading was reconsidered.

Senator Taylor offered the following amendment and moved its adoption:

Strike out the word "of" after the word "Code" in line 2 of section 2.

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 34.

Adams	Kimball	Rule
Anderson	LeCompte	Schaffter
Balkema	Meredith	Scott
Bal	Mitchell	Shane
Byington	Nelson	Smith
Coburn	Newberry	Stephenson
Evans	Parker	Stoddard
Fellows	Price	Taylor
Foskett	Proudfoot	Thompson
Fralley	Rainbow	White
Greenell	Ratcliff	
Horchem	Reed	

Nays, 2.

Pitt	Wilson
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Absent or not voting, 14.

Arney	Edwards	Kimberly
Brookhart	Foster	Kingland
Broxam	Hale	Van Alstine
Buser	Haskell	Whitmore
Cessna	Ho:doegel	

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, House File No. 14, a bill for an act to repeal the law as it appears in Section 1570-d and 1570-e, Supplement to the Code, 1913, relating to the rebate of the highway tax for the use of wide tired wagons, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stoddard moved the previous question, which motion prevailed and the previous question was ordered.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 30.

Ball	Kingland	Reed
Brookhart	LeCompte	Rule
Broxam	Meredith	Schaffter
Byington	Mitchell	Scott
Cessna	Nelson	Shane
Coburn	Pitt	Smith
Fellows	Price	Stephenson
Foskett	Proudfoot	Stoddard
Frailey	Rainbow	Taylor
Horchem	Ratcliff	Thompson

Nays, 6.

Anderson	Evans	Parker
Balkema	Newberry	Wilson

Absent or not voting, 14.

Adams	Greenell	Kimberly
Arney	Hale	Van Alstine
Buser	Haskell	White
Edwards	Holdoegel	Whitmore
Foster	Kimball	

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

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 24th day of March, 1919, sent to the governor for

his approval, Senate File No. 67, a bill for an act to amend section two thousand five hundred eighty-nine-d, supplement to the code, 1913, relative to the examination of pharmacists.

Also:

Senate File No. 80, a bill for an act to amend section three thousand four hundred and thirty-nine (3439) of the supplement to the code, 1913, relating to the limitation of actions on judgments.

Also:

Senate File No. 138, a bill for an act making an appropriation to meet deficiency in fund appropriated under chapter two hundred sixty-five (265),

acts of the thirty-seventh general assembly, relating to the census of the resources of the state in men and materials.

Also:

Senate File No. 14, a bill for an act to amend section 879-e, supplement to the code, 1913, relating to powers of river front improvement commission.

Also:

Senate File No. 74, a bill for an act providing for the issuance of licenses by the state game and fish commission to those desiring to catch or kill mussels for commercial purposes, regulating and providing the manner in which mussels shall be caught or killed, and providing for the opening or closing of certain streams in Iowa for the purpose of catching mussels.

Also:

Senate File No. 175, a bill for an act to provide for the establishment of part-time schools and classes in aid of vocational and other education for children holding work permits under the provisions of the law relating to child labor and for certain other minors between the ages of fourteen (14) and sixteen (16) and to provide for compulsory attendance thereon.

Also:

Senate File No. 171, a bill for an act to legalize the notice of incorporation of the S. T. Sinnott Company.

Also:

Senate File No. 90, a bill for an act to amend section three thousand two hundred eighty-four (3284), supplement to the code, 1913, relating to notice of hearing provided for the probating of wills.

Also:

Senate File No. 168, a bill for an act providing for the establishment of dental clinics for school children and the offering of certain courses of instruction in certain schools and the employment of dentists and dental hygienists by public school corporations.

Also:

Senate File No. 25, a bill for an act amending section two thousand five hundred sixty-eight (2568) of the code, relating to the local board of health in towns and cities, and making the health physician a member thereof.

Also:

Senate File No. 99, a bill for an act to repeal section three thousand five hundred thirty-six-a (3536-a), supplement to the code, 1913, relative to the legalizing of decrees of court and affidavits of publication and enacting a substitute therefor.

Also:

Senate File No. 142, a bill for an act to amend chapter five (5), title five (5) of the code, relating to the powers of cities and towns; and providing for the appointment of trustees in cities and towns owning their own waterworks, heating plant, gas works, or electric light or electric power plants; and providing for the duties of such trustees, and fixing their compensation.

Also:

Senate File No. 21, a bill for an act to amend section ten hundred ninety-nine (1099) of the code, and sections eleven hundred and six (1106), eleven hundred and nineteen (1119), eleven hundred and twenty (1120), eleven hundred and fifty (1150), eleven hundred and fifty-one (1151), eleven hundred and fifty-seven (1157), ten hundred and eighty-seven-c (1087-c), and eleven hundred and seventy-three (1173), supplement to the code, 1913, and relating to the election of presidential electors and United States senators and of vote therefor and removal of presidential electors from official ballot, and to the form of ballot, the method of voting and counting the vote of candidates,

Also:

Senate File No. 102, a bill for an act appropriating \$561.52 in favor of P. K. Holbrook for per diem and railroad fare at 2c a mile incurred by him in discharge of his official duties as a member of the Iowa State Board of Education from July 14, 1915, to October 12, 1916, inclusive.

Also:

Senate File No. 174, a bill for an act to amend section eight hundred nine (809) of the code, relating to the putting in of waterworks connections before permanent improvement of the street, alley or public place where the same is located and the taxing of the cost of same to the property benefited if the property owner fails and neglects to put in the same and pay the cost thereof.

Also:

Senate File No. 276, a bill for an act to amend the law as it appears in section three thousand nine-n (3009-n), supplemental supplement to the code, 1915, and repealing section three thousand nine-j (3009-j), supple-

mental supplement to the code, 1915, and enacting a substitute therefor relating to weights and measures.

Also:

Senate File No. 76, a bill for an act to amend the law as it appears in section eleven hundred one (1101), supplemental supplement to the code, 1915, relating to the withdrawal of candidates regularly nominated for office.

Also:

Senate File No. 340, a bill for an act to amend chapter forty-eight (48) of the acts of the thirty-sixth general assembly, relating to sewers under and pavement upon principal streets or highways leading into and out of cities.

Also:

Senate File No. 42, a bill for an act to amend section sixteen hundred fifty-two-d (1652-d), supplement to the code, 1913, relating to extinct churches.

EUGENE SCHAFFER, *Chairman.*

Adopted.

Senator Proudfoot filed the following amendment and asked that it be printed in the journal:

I move to amend Senate File No. 458 by striking out all after the enacting clause and inserting in lieu thereof the following:

"SECTION 1. That the law as it appears in Section Eighteen Hundred Thirty-nine-j (1839-j), Supplement to the Code, 1913, be and the same is hereby amended by inserting after the comma in the sixth line thereof the following:

'including the issuance of term, whole life, or limited payment certificates with withdrawal options,'".

#### CORRECTION OF JOURNAL.

The journal of March 22d was corrected and approved.

On motion of Senator Shane, Senate adjourned until 1:15 today.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

## LEAVE OF ABSENCE.

On request of Senator Pitt, leave of absence was granted to Senator Stephenson for the afternoon.

Senator Whitmore filed the following amendments and asked that they be printed in the journal:

I move to amend Senate File No. 475, page five, division (c), line 93, by inserting the word "not" between the words "if" and "occupied".

2. On page 10, in section 5, line 6, by substituting the word "rebuild" for the word "rebuilt".

3. Page 31, section 67, in line 8, inserting a period (.) after the word "apartment" and write the ensuing word "where" with a capital "W".

4. And in line 9 of said section 67 strike out the word "and" between the words "available" and "the".

5. On page 41, section 92, line 1, substitute the word "Commence" for the word "Commerce".

6. On page 43, section 92, line 47, substitute the word "thereof" for the word "thereon".

7. On page 43, section 93, lines 1 and 2, strike out "no building heretofore" and substitute therefor: "no part of a building hereafter".

8. On page 44, section 95, lines 6 and 7, strike out that part of same reading: ", and each day that such violation continues shall constitute a separate offence."

9. On page 44, section 95, line 10, insert the word "exists" after the word "defined".

## THIRD READING OF BILLS.

On motion of Senator Wilson, Senate File No. 381, a bill for an to amend section one (1) chapter one hundred ninety-one (91) Acts of the Thirty-seventh General Assembly relating to soldiers and sailors and widows exemption, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Strike out all after the enacting clause and substitute therefor the following:

"SECTION 1. That section 1 (1), chapter one hundred ninety-one (191), Acts of the Thirty-seventh General Assembly, be and the same is hereby amended by substituting a colon (: ) for the final period (.) and

adding to said chapter the following: provided, however, that such exemption shall only extend to the period during which such soldier or sailor or widow thereof or the wife or minor child of any such soldier or sailor remains the owner of said property, and upon the sale thereof to any person other than those of the class included in this act, said exemption shall cease, and the property shall be subject to taxation as other property."

Senator Wilson 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 vote was:

—Ayes, 30.

Anderson	Foskett	Proudfoot
Arney	Greenell	Rainbow
Balkema	Horchem	Reed
Brookhart	Kimball	Rule
Broxam	Kingland	Shane
Byington	LeCompte	Stephenson
Cessna	Mitchell	Stigard
Coburn	Nelson	Taylor
Edwards	Pitt	White
Fellows	Price	Wilson

Nays, none,

Absent or not voting, 20.

Adams	Haskell	Schaffter
Ball	Holdoegel	Scott
Buser	Kimberly	Shane
Evans	Meredith	Thompson
Foster	Newberry	Van Alstine
Fralley	Parker	Whitmore
Hale	Ratcliff	

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 Anderson, Senate File No. 396, a bill for an act to amend section eighteen hundred sixty-six (1866), Chapter eleven (XI), Title Nine (IX) of the Code, relating to the number of directors of state banks, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Anderson moved that the rules be suspended, the bill



be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35.

Adams	Foster	Ratcliff
Anderson	Greenell	Reed
Arney	Holdoegel	Rule
Balkema	Horchem	Schaffter
Brookhart	Kingland	Scott
Broxam	LeCompte	Shane
Byington	Mitchell	Stephenson
Cessna	Parker	Stoddard
Coburn	Pitt	Taylor
Edwards	Price	White
Fellows	Proudfoot	Whitmore
Foskett	Rainbow	

Nays, none.

Absent or not voting, 15.

Ball	Haskell	Newberry
Buser	Kimball	Smith
Evans	Kimberly	Thompson
Frailey	Meredith	Van Alstine
Hale	Nelson	Wilson

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 Rainbow, Senate File No. 55, a bill for an act to amend the law as it appears in section 1366, Supplement to the Code, 1913, relative to the assessors' books, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rainbow 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 vote was:

Ayes, 36.

Adams	Cessna	Greenell
Anderson	Coburn	Horchem
Balkema	Edwards	Kimball
Ball	Fellows	Kingland
Brookhart	Foskett	Meredith
Broxam	Foster	Mitchell
Byington	Frailey	Nelson

Parker	Ratcliff	Shane
Pitt	Reed	Stephenson
Price	Rule	Stoddard
Proudfoot	Schaffter	Whitmore
Rainbow	Scott	Wilson

Nays, none.

Absent or not voting, 14.

Arney	Holdoegel	Taylor
Buser	Kimberly	Thompson
Evans	LeCompte	Van Alstine
Hale	Newberry	White
Haskell	Smith	

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 Horchem, Senate File No. 165, a bill for an act to amend section two thousand seven hundred eight (2708) of the supplement to the code, 1913, providing for commitment of certain persons to, etc., with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Horchem 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 motion of Senator Horchem the vote by which the bill passed to its third reading was reconsidered.

Senator Horchem moved that the rules be suspended, the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34.

Adams	Foster	Reed
Anderson	Horchem	Rule
Balkema	Kingland	Schaffter
Ball	LeCompte	Scott
Brookhart	Meredith	Shane
Broxam	Mitchell	Stephenson
Byington	Nelson	Stoddard
Cessna	Newberry	Taylor
Edwards	Parker	White
Evans	Pitt	Wilson
Fellows	Price	
Foskett	Rainbow	

Nays, 3.

Fralley

Proudfoot

Ratcliff

Absent or not voting, 13.

Arney  
Buser  
Coburn  
Greenell  
Hale

Haskell  
Holdoegel  
Kimball  
Kimberly  
Smith

Thompson  
Van Alstine  
Whitmore

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

Senator Wilson offered the following amendment to the title and moved its adoption:

Strike out the period at the end of the title, insert a comma in lieu thereof, and add thereto the words,

"and the procedure thereunder."

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Rainbow, Senate File No. 173, a bill for an act to repeal paragraph 1 of section 442 of the code, and enact a substitute therefor, and to add to said section a paragraph to be known as 5, all relating to record of board of supervisors, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by inserting between the word "highway" and the comma following said word in line Seven of Section One (1) the following, "and drainage districts".

Senator Rainbow 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 vote was:

Ayes, 35.

Anderson  
Balkema  
Brookhart  
Broxam  
Byington

Cessna  
Coburn  
Edwards  
Evans  
Fellows

Foskett  
Fralley  
Greenell  
Horchem  
Kimball

Kingland	Price	Scott
LeCompte	Proudfoot	Shane
Meredith	Rainbow	Stephenson
Mitchell	Rateliff	Stoddard
Nelson	Reed	Taylor
Parker	Rule	White
Pitt	Schaffter	

Nays, none.

Absent or not voting, 15.

Adams	Hale	Smith
Arney	Haskell	Thompson
Ball	Holdoegel	Van Alstine
Buser	Kimberly	Whitmore
Foster	Newberry	Wilson

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 Rainbow, Senate File No. 304, a bill for an act to empower the board of supervisors to order the destruction of certain papers and records, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Rainbow offered the following as a substitute for the committee amendment and moved its adoption:

Strike out of the 7th line the word and figure "five (5)" and insert in lieu thereof the word and figure "ten (10)".

Senator Wilson raised the point of order that the substitute amendment offered was not germane to the amendment sought to replace.

The president held that the point was well taken.

The following committee amendment was adopted:

Amend by striking out, in lines two and three, the words, "assessors' books and assesment rolls."

By unanimous consent Senator Rainbow withdrew his amendment.

Senator Rainbow 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 vote was:

## Ayes, 28.

Adams	Kingland	Rule
Balkema	LeCompte	Schaffter
Ball	Mitchell	Shane
Brookhart	Nelson	Smith
Broxam	Parker	Stephenson
Edwards	Pitt	Stoddard
Evans	Price	Taylor
Fellows	Rainbow	White
Foster	Reed	Wilson
Horchem		

## Nays, 11.

Anderson	Fralley	Proudfoot
Byington	Greenell	Ratcliff
Cessna	Meredith	Thompson
Coburn	Newberry	

## Absent or not voting, 11.

Arney	Haskell	Scott
Buser	Holdoegel	Van Alstine
Foskett	Kimball	Whitmore
Hale	Kimberly	

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 Mitchell, Senate File No. 345, a bill for an act to amend section 1400-c and 1400-h of the supplement to the code, 1913, relating to fruit tree reservations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson moved that the words and figures "Supplement to the Code, 1913," be inserted after the figures "1400-c" in line 1 of Section 1, and also after the figures "1400-h" in line 1 of Section 2.

The amendment was adopted.

Senator Mitchell 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 vote was:

## Ayes, 33.

Adams	Evans	Kimball
Anderson	Fellows	LeCompte
Balkema	Foskett	Mitchell
Ball	Foster	Nelson
Byington	Fralley	Newberry
Coburn	Greenell	Parker
Edwards	Horchem	Pitt

Price	Feed	Shane
Proudfoot	Rule	Smith
Rainbow	Schaffter	Stoddard
Ratcliff	Scott	Taylor

Nays, none.

Absent or not voting, 16.

Arney	Haskell	Thompson
Brookhart	Holdoeger	Van Alstine
Broxam	Kimberly	White
Buser	Meredith	Whitmore
Cessna	Stephenson	Wilson
Hale		

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 Frailey, Senate File No. 370, a bill for an act repealing section one thousand nine (1009) of the code, relating to the drawing of warrants and enacting a substitute in lieu thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Frailey 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 vote was:

Ayes, 35.

Adams	Frailey	Rainbow
Anderson	Greenell	Ratcliff
Balkema	Horchem	Rule
Ball	Kimball	Schaffter
Broxam	LeCompte	Scott
Byington	Meredith	Shane
Cessna	Mitchell	Smith
Coburn	Nelson	Stoddard
Edwards	Newberry	Taylor
Evans	Pitt	Thompson
Fellows	Price	Wilson
Foster	Proudfoot	

Nays, none.

Absent or not voting, 15.

Arney	Haskell	Reed
Brookhart	Holdoegel	Stephenson
Buser	Kimberly	Van Alstine
Foskett	Kingland	White
Hale	Parker	Whitmore

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 Ratcliff, Senate File No. 394, a bill for an act to provide for the detention of inmates of the institution for feeble minded children, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Ratcliff 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 vote was:

Ayes, 35.

Adams	Frailey	Proudfoot
Anderson	Greenell	Rainbow
Balkema	Horchem	Ratcliff
Ball	Kimball	Rule
Byington	Kingland	Schaffter
Cesena	LeCompte	Scott
Coburn	Meredith	Shane
Edwards	Mitchell	Smith
Evers	Nelson	Stoddard
Fellows	Newberry	Thompson
Foskett	Pitt	Wilson
Foster	Price	

Nays, none.

Absent or not voting, 15.

Arney	Haskell	Stephenson
Brookhart	Holdoegel	Taylor
Croxam	Kimberly	Van Alstine
Buser	Parker	White
Hale	Reed	Whitmore

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

#### SENATE FILE 397 WITHDRAWN.

By unanimous consent, Senator Mitchell withdrew Senate File No. 397 from further consideration.

## THIRD READING OF BILLS.

On motion of Senator Kimball, Senate File No. 477, a bill for an act amending section 2820-d1, supplement to the code, 1913, and relating to the limitation of indebtedness of independent school district for school houses and additions thereto, a committee bill was taken up and considered.

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 vote was:

Ayes, 33.

Adams	Foster	Price
Anderson	Frailey	Proudford
Balkema	Greenell	Rainbow
Ball	Horchem	Ratcliff
Broxam	Kimball	Rule
Byington	Kingland	Schaffter
Coburn	Meredith	Scott
Edwards	Mitchell	Smith
Evans	Nelson	Stoddard
Fellows	Newberry	Thompson
Foskett	Pitt	Wilson

Nays, none.

Absent or not voting, 17.

Arney	Holdoegel	Stephenson
Brookhart	Kimberly	Taylor
Buser	LeCompte	Van Alstine
Cessna	Parker	White
Hale	Reed	Whitmore
Haskell	Shane	

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 Price, House File No. 170, a bill for an act to amend section 529 and to repeal sections 530 and 531, code, and to enact substitutes therefor relating to the duties and compensation of coroners, witnesses and jurors, in inquests, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.



Senator Price offered the following amendment and moved its adoption:

I move to amend House File No. 170 by striking out the comma after the figures (529) in line 1 of Section 1 and inserting in lieu thereof the words "of the".

Also by striking out the comma after the figures (530) in line 2 of Section 2 and inserting in lieu thereof the words "of the".

Also by striking out the comma after the figures (531) in line 2 of Section 3 and inserting in lieu thereof the words "of the".

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 30.

Adams	Frailey	Proudfoot
Anderson	Greenell	Rainbow
Ball	Horchem	Ratcliff
Byington	Kimball	Rule
Cessna	Kingland	Scott
Coburn	Meredith	Shane
Edwards	Nelson	Smith
Evans	Newberry	Stoddard
Foskett	Pitt	Thompson
Foster	Price	Wilson

Nays, none.

Absent or not voting, 20.

Arney	Haskell	Schaffter
Balkema	Holdoegel	Stephenson
Brookhart	Kimberly	Taylor
Broxam	LeCompte	Van Alstine
Buser	Mitchell	White
Fellows	Parker	Whitmore
Hale	Reed	

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 Horchem, House File No. 409, a bill for an act to legalize the transfer of funds by the city council by the city of Dubuque, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 33.

Adams	Foskett	Rainbow
Anderson	Frailley	Ratcliff
Balkema	Greenell	Rule
Ball	Horchem	Schaffter
Broxam	Kimball	Scott
Byington	Kingland	Shane
Cessna	Meredith	Smith
Coburn	Neison	Stoddard
Edwards	Pitt	Taylor
Evans	Price	Thompson
Fellows	Proudfoot	Wilson

Nays, none.

Absent or not voting, 17.

Arney	Holdoegel	Reed
Brookhart	Kimberly	Stephenson
Buser	LeCompte	Van Alstine
Foster	Mitchell	White
Hale	Newberry	Whitmore
Haskell	Parker	

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 Ratcliff, Senate File No. 393, a bill for an act to amend section one thousand seven hundred seventy-three (1773) of the code, relative to the annual statement of life insurance companies, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Ratcliff 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 vote was:

Ayes, 32.

Anderson	Byington	Fellows
Arney	Cessna	Greenell
Balkema	Coburn	Horchem
Ball	Edwards	Kimball
Broxam	Evans	Kingland

Meredith  
Mitchell  
Nelson  
Newberry  
Pitt  
Price

Proudfoot  
Rainbow  
Ratcliff  
Rule  
Schaffter  
Scott

Shane  
Smith  
Stoddard  
Taylor  
Thompson

Nays, none.

Absent or not voting, 18.

Adams  
Brookhart  
Buser  
Foskett  
Foster  
Fralley

Hale  
Haskell  
Holdoegel  
Kimberly  
LeCompte  
Parker

Reed  
Stephenson  
Van Alstine  
White  
Whitmore  
Wilson

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 Coburn, House File No. 216, a bill for an act making appropriations for the completion of water works at the state hospital for the insane at Cherokee, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 35.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Broxam  
Eyrington  
Cessna  
Coburn  
Edwards  
Evans  
Fellows

Foskett  
Foster  
Greenell  
Horchem  
Kimball  
Kingland  
Meredith  
Mitchell  
Nelson  
Newberry  
Pitt  
Price

Proudfoot  
Rainbow  
Ratcliff  
Rule  
Schaffter  
Scott  
Shane  
Smith  
Taylor  
Thompson  
Wilson

Nays, none.

Absent or not voting, 15.

Brookhart	Holdoegel	Stephenson
Buser	Kimberly	Stoddard
Frailey	LeCompte	Van Alstine
Hale	Parker	White
Haskell	Reed	Whitmore

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. 257, a bill for an act to repeal sections twenty-seven hundred eighteen-c (2718-c), twenty-seven hundred eighteen-d (2718-d), twenty-seven hundred eighteen-e (2718-e), and twenty-seven hundred eighteen-f (2718-f), supplement to the code, 1913, and to enact substitutes therefor and relating to the required attendance of deaf children and blind children at the respective state schools, and for excuse therefrom, and providing a penalty for failing to comply with the provisions of this act, and appropriating funds for carrying out provisions of this act, including the compensation of agent to enforce provisions of this act, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 34.

Anderson	Frailey	Rainbow
Arney	Greenell	Ratcliff
Balkema	Horchem	Rule
Ball	Kimball	Schaffter
Broxam	Kingland	Scott
Byington	Meredith	Smith
Cessna	Mitchell	Stoddard
Coburn	Nelson	Taylor
Edwards	Newberry	Thompson
Evans	Pitt	Wilson
Fellows	Price	
Foskett	Proudfoot	

Nays, none.

Absent or not voting, 16.

Adams	Holdoegel	Shane
Brookhart	Kimberly	Stephenson
Buse-	LeCompte	Van Alstine
Foster	Parker	White
Hale	Reed	Whitmore
Haskell		

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 Balkmea, Senate File No. 423, a bill for an act to amend the law as it appears in paragraph 5, section 894 of the Code, relating to the levying of taxes for waterworks, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

On request of Senator Balkema further action was deferred.

#### 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. 344, a bill for an act to amend section two thousand seven hundred thirty-four-p1 (2734-p1), supplement to the code, 1913, relating to teaching experience; to repeal section two thousand seven hundred thirty-four-p2 (2734-p2), supplement to the code, 1913, relating to provisional certificates; and to amend section two thousand seven hundred thirty-four-a (2734-a), supplement to the code, 1913, relating to special certificates.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 516, a bill for an act granting additional powers to certain cities organized under the provisions of chapter fourteen-c (14-c), title V, sections ten hundred fifty-six-a-seventeen (1056-a-17) to ten hundred fifty-six-a-sixty-five (1056-a-65), inclusive, supplement to the code, 1913, and amendments thereto, in relation to selling or donating for county seat purposes, lands belonging to said cities.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 1, a joint resolution proposing an amendment to the constitution of the state of Iowa authorizing cities to acquire by gift, purchase or condemnation, lands for establishing, laying out, widening, enlarging, extending and maintaining memorial or art grounds, streets, squares, parkway boulevards, parks, play-grounds, sites for public buildings, and reservations in and about and along and leading to any or all of the same; with the right after the establishment, laying out and completion of such improvement to lease or convey any excess thus acquired and not necessary for such improvement, with or without reservations as to the use thereof; and authorizing the issuance of bonds to supply the funds in whole or in part to pay for the excess so appropriated or otherwise acquired.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 536, a bill for an act to amend the law as it appears in title four (4), chapter one (1), supplemental supplement to the code, 1915, relating to care of person afflicted with tuberculosis.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 423, a bill for an act to amend the law as it appears in chapter forty-nine (49), section twelve (12) of the acts of the thirty-seventh general assembly, relating to feed of county prisoners.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 336, a bill for an act to regulate telephone companies, and to require any telephone company operating in this state to make connections between its toll lines and the lines of other telephone companies, and giving the railroad commissioner authority to determine and

fix the terms upon which such connections shall be made, and providing a method for the enforcement of any order of the railroad commission.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 398, a bill for an act to aid in securing of loans by deserving persons whose business or circumstances are such as to make it desirable or convenient for them to accumulate funds with which to repay such loans by paying into a fund comparatively small amounts at frequent regular intervals, and to provide for the taxation of corporations engaged in such loan business.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 paragraph four (4) of section thirteen hundred three (1303), supplemental supplement to the code, 1915, relating to the amount of taxes that may be levied for making and repairing bridges.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 87, a bill for an act to amend section seven hundred seventy (770) of the code, relating to construction of viaduct over or under railroads.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 ten hundred and eighty-seven-a ten (1087-a10) of the supplement to the code, 1913, relating to the nomination of candidates for office and providing for the manner for nominating candidates for office where more than one (1) is to

be elected at the succeeding general election and providing the manner in which the names of such candidates shall be printed on the primary ballot.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 repeal section three hundred eight (308) of the supplemental supplement to the code, 1915, relating to compensation of county attorneys, and for enacting a substitute therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

Senate File No. 190, a bill for an act to amend section eight hundred eighty-seven (887) of the code, by authorizing a special levy not exceeding five (5) mills for the years 1919 and 1920 for the general fund of all cities and towns.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 281, a bill for an act defining the crime of criminal syndicalism and prescribing punishment therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 60, a bill for an act to amend chapter three hundred seventy (370) and to repeal section two (2) of chapter three hundred forty-nine (349), acts of the thirty-seventh general assembly, relating to the appointment and compensation of state agents by the board of control.

W. C. RAMSAY, *Chief Clerk.*



Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 297, a bill for an act to amend section four hundred sixty-nine (469), supplement to the code, 1913, relating to the compensation and mileage allowed to board of supervisors.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 205, a bill for an act defining and regulating the manufacture and sale of renovated butter.

#### HOUSE AMENDMENTS.

Amend the title by striking from line one (1) the words "manufacture for".

Amend by striking from line two (2) in section one (1) thereof the word "manufacture,".

W. C. RAMSAY, *Chief Clerk.*

Also:

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 invitation asking the general conference of the Methodist Episcopal church to come to the state of Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

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 concerning reduction of freight rates.

W. C. RAMSAY, *Chief Clerk.*

## HOUSE CONCURRENT RESOLUTION.

*Whereas*, many public improvements for which there is an imperative need have been postponed on account of the existence of a state of war between the United States of America and the Imperial German Government, and

*Whereas*, the necessity for the resumption of the construction of public works is fully recognized and is being urged upon all people in authority representing the various political units and subdivisions of the United States; and

*Whereas*, one of the greatest problems confronting the state and nation at the present time is the furnishing of immediate employment to a large amount of idle labor released from other activities by the victorious termination of the war; and

*Whereas*, the embarking upon the construction of the much needed public improvements will furnish immediate and profitable employment to idle labor; and

*Whereas*, the increase in freight rates on the heavy materials, entering largely into the construction of public works, which went into effect June 25, 1918, was approximately one hundred per cent greater than the increase on other commodities; and

*Whereas*, in the judgment of the General Assembly of the state of Iowa freight rates on materials designed for use in the construction of public works are excessive and tend unmistakably to discourage the resumption of the construction of such enterprise, thus defeating the effort to give employment to idle labor; therefore,

*Be It Resolved by the House of Representatives of the State of Iowa, the Senate concurring therein,*

That the president of the United States, the Congress of the United States, and the United States Railroad Commission, be and they are hereby memorialized and respectfully but most urgently requested to take such action as will bring about a reduction in the freight tariffs governing the shipment of materials entering largely into the construction of public works, said reduction to be not less than the advance which went into effect June 25, 1918, and to be effective at an early date; and

That upon the passage of this resolution, certified copies thereof be forthwith forwarded by the secretary of state of Iowa to the president of the United States, the presiding officers of both houses of Congress and members from Iowa of both branches of the Congress of the United States, and the director general of railroads.

Also:

I am directed to inform your honorable body that the House has con-

curred in the following concurrent resolution, in which the concurrence of the House was asked:

Senate concurrent resolution relative to publication of legislative index.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 261, a bill for an act to amend section ten hundred and eighty-seven-a ten (1087-a10) of the supplement to the Code, 1913, relating to the nomination of candidates for office and providing for the manner for nominating candidates for offices where more than one (1) is to be elected at the succeeding general election and providing the manner in which the names of such candidates shall be printed on the primary ballot.

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

House File No. 343, a bill for an act to repeal Section three hundred eight (308) of the Supplemental Supplement to the Code, 1915, relating to compensation of County Attorneys, and for enacting a substitute therefor.

Read first and second time and referred to committee on county and township affairs.

#### EXPLANATION OF ABSENCE FROM ROLL CALL.

We, the undersigned senators, have been necessarily absent from roll call today and occasionally for several days, while conducting a special inquiry into the methods of conducting the business of the office of the secretary of state, in performance of the functions assigned to the committee on departmental affairs.

P. C. HOLDREGE,  
CHESTER W. WHITMORE,  
W. H. ARNEY,  
A. L. RULE.

#### SENATE FILES WITHDRAWN.

By unanimous consent Senator Coburn withdrew Senate File No. 196 from further consideration.

By unanimous consent Senator Kimball withdrew Senate File No. 218 from further consideration.

## SPECIAL ORDER.

On motion of Senator Wilson, Senate File No. 135 was made a special order for Tuesday, March 25th at 9:30.

On motion of Senator Wilson, Senate adjourned until 9:00 a. m. Tuesday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 25, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. T. Maxwell, pastor M. E. church, Kenwood Park.

## LEAVE OF ABSENCE.

On request of Senator Stoddard, leave of absence was granted Senator Anderson for the day.

## PETITIONS AND MEMORIALS.

Senator Hale presented a remonstrance of citizens of Lowden against bond issue for hard surfaced roads.

Referred to committee on highways.

Senator Nelson presented a remonstrance of citizens of Cass county against bond issue for hard surfaced roads.

Referred to committee on highways.

## CONCURRENT RESOLUTION.

Senator Kimball offered the following resolution:

*Be It Resolved by the Senate of the Thirty-eighth General Assembly of the State of Iowa, the House of Representatives concurring,*

That every bill introduced at this session and which shall have been passed by either house of the general assembly shall be reported out by the committee to which it was referred and be acted upon by the other house before adjournment of this general assembly.

CLEM F. KIMBALL,  
BYRON W. NEWBERRY,  
O. A. BYINGTON,  
H. C. WHITE,  
W. T. EVANS,  
K. M. LECOMPTE,  
J. R. FRAILEY,  
W. H. SCOTT,  
W. W. ANDERSON,  
N. BALKEMA,  
GEO. W. BALL,  
W. H. ARNEY.

Laid over under the rules.

## HOUSE MESSAGES CONSIDERED.

House File No. 344, a bill for an act to amend section two thousand seven hundred thirty-four-p1 (2734-p1), supplement to the code, 1913, relating to teaching experience; to repeal section two thousand seven hundred thirty-four-p2 (2734-p2) supplement to the code, 1913, relating to provisional certificates; and to amend section two thousand seven hundred thirty-four-s (2734-s), supplement to the code, 1913, relating to special examinations.

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

House Joint Resolution No. 1, a joint resolution proposing an amendment to the constitution of the State of Iowa authorizing cities to acquire by gift, purchase or condemnation, lands for establishing, laying out, widening, enlarging, extending, and maintaining memorial or art grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public buildings, and reservations in and about and along and leading to any or all of the same; with the right after the establishment, laying out and completion of such improvement to lease or convey any excess thus acquired and not necessary for such improvement, with or without reservations as to the use thereof; and authorizing the issuance of bonds to supply the funds in whole or in part to pay for the excess so appropriated or otherwise acquired.

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

House File No. 536, a bill for an act to amend the law as it appears in section four hundred nine-t-3 (409-t-3), Supplemental Supplement to the Code, 1915, relating to care of persons afflicted with tuberculosis.

Read first and second time and referred to committee on public health.

House File No. 423, a bill for an act to amend the law as it appears in chapter forty-nine (49) section twelve (12) of the acts of the thirty-seventh general assembly, relating to board of county prisoners.

Read first and second time and referred to committee on county and township affairs.

House File No. 336, a bill for an act to regulate telephone companies, and to require any telephone company operating in this state to make connections between its toll lines and the lines of other telephone companies, and giving the railroad commission authority to determine and fix the terms upon which such connections shall be made, and providing a method for the enforcement of any order of the railroad commission.

Read first and second time and referred to committee on telegraph and telephones.

House File No. 398, a bill for an act to aid in securing of loans by deserving persons whose business or circumstances are such as to make it desirable or convenient for them to accumulate funds with which to repay such loans by paying into a fund comparatively small amounts at frequent regular intervals, and to provide for the taxation of corporations engaged in such loan business.

Read first and second time and referred to committee on ways and means.

House File No. 425, a bill for an act to amend paragraph four (4) of Section thirteen hundred three (1303), Supplemental Supplement to the Code, 1915, relating to the amount of taxes that may be levied for making and repairing bridges.

Read first and second time and referred to committee on ways and means.

House File No. 516, a bill for an act granting additional powers to certain cities organized under the provisions of chapter fourteen-c (14-c), Title V, sections ten hundred fifty-six-a-seventeen (1056-a-17) to ten hundred fifty-six-a-sixty-five (1056-a-65), inclusive, supplement to the code, 1913, and amendments thereto, in relation to selling or donating for county seat purposes, lands belonging to said cities.

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

#### REPORTS OF COMMITTEES.

Senator Proudfoot, from the committee on judiciary No. 2, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 2, to whom was referred Senate File No. 238, a bill for an act to amend section 3092 of the code, section 3093, supplement to the code, 1913, and section 3094, supplemental supplement to the code, 1915, relating to the time when a sub-contractor may file a mechanic's lien, etc., beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred House File No. 305, a bill for an act to amend the law as it appears in chapter 310, acts of the 37th general assembly, relating to drawing of grand and petit jurors, fixing the number thereof, and regulating the method and number of challenges, and the method of exercising peremptory challenges, etc., beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred House File No. 363, a bill for an act to amend section 354, supplement to the code, 1913, as amended by chapter 59 of the acts of the 37th general assembly, relating to compensations of jurors, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred House File No. 199, a bill for an act to legalize the publication of certain notices of incorporation, 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:

"By striking out the word 'thereafter' in the 6th line of section 1 of said bill and by inserting in lieu thereof the words: 'Within three months



after the date required by law in such cases'."

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred House File No. 242, a bill for an act to confirm the title of Frank Schultz to the south-east quarter of the northwest quarter of section 34 in township 81, north, range 15, west fifth p. m., in Poweshiek County, Iowa, and authorizing the issuance of a patent to him therefor, etc., beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 350, a bill for an act to repeal the law as it appears in section 364, supplement to the code, 1913, and to enact a substitute therefor and to authorize investments of funds, including those to be made by executors, administrators, trustees and guardians, where such investments are to be made and no mode of investment is pointed out by statute, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 448, a bill for an act creating a state board of art; for the participation of the state board of art with other public authorities in the selection of public objects and structures of memorial art, etc., beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred House File No. 248, a bill for an act to amend the law as it appears in section 2820-d4,

supplement to the code, 1913, relating to the vote required to authorize the issuance of bonds and to legalize elections heretofore held in school districts where a majority of the votes cast at such elections was in favor of issuing bonds and to legalize such elections and bonds, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 164, a bill for an act to simplify legal procedure, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman*.

On motion of Senator Proudfoot, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 326, a bill for an act repealing sections 5239-n and 5239-o of chapter 12-a, supplement to the code, 1913, and enacting a substitute therefor relating to arraignments, pleas, and judgments on written pleas of guilt in prosecutions on information filed by the county attorney, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman*.

Ordered passed on file.

Senator Coburn, from the committee on agriculture, submitted the following report:

MR. PRESIDENT—Your committee on agriculture, to whom was referred Senate File No. 430, a bill for an act to amend the law as it appears in section twenty-five hundred thirty-eight-r (2538-r), supplement to the code, 1913, relating to commission of animal health, beg leave to report they have had the same under consideration and recommend the same do pass.

GEO. F. COBURN, *Chairman*.

Ordered passed on file.

Senator Wilson, from the committee on judiciary No. 1, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 1, to whom was re-

ferred Senate File No. 464, a bill for an act to repeal section 4852 of the code, and to enact a substitute therefor, relating to the selling or concealing of mortgaged personal property or property sold under a conditional bill of sale, 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:

By inserting after the word "wilfully" in line three (3) of section two (2) the following: "and with intent to defraud".

J. M. WILSON, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 473, a bill for an act to limit the time for commencing actions to recover real estate or any interest therein or to foreclose, establish or enforce any mortgage, lien, incumbrance or other charges thereon from or against any person in actual possession of such real estate and who holds a record title thereto to ten years from the date the cause of action accrued in all cases in which the record title of such person in actual or constructive possession is or purports to be supported by or to be released from any mortgages, liens, charges or incumbrances thereon by any of the instruments, deeds, conveyances, wills, mortgages, contracts, assignments, releases, judgments, orders, decrees, records, proceedings or other matters herein mentioned and fixing the time when such actions shall be deemed to have accrued, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. M. WILSON, *Chairman*.

On motion of Senator Wilson, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 385, a bill for an act to legalize ordinances and amendments to ordinances of the town of Madrid, Boone County, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 459, a bill for an act to legalize an election held in Consolidated Inde-

pendent School District of Huron, Des Moines County, Iowa, authorizing the issuance of bonds in the sum of \$55,000, and to validate said bonds, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 501, a bill for an act pertaining to instructions to jury, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. M. WILSON, *Chairman.*

On motion of Senator Wilson, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 495, a bill for an act to legalize the official acts of certain persons acting as notaries public, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 326, a bill for an act to authorize the issuing of drainage bonds as provided in section 1989-a27, chapter 2-a, title X, code supplement, 1913, for account of drainage districts organized under chapter 2-b, title X, supplemental supplement to the code, 1915, and to legalize the organization of such drainage districts and assessments levied and bonds issued in respect thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 456, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants for the town of Adel, Iowa, beg leave to report they have had the same under consideration

and recommend the same do pass.

J. M. WILSON, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 199, a bill for an act to repeal section five thousand seventy-seven-a-seventeen (5077-a-17), supplement to the code, 1913, and to enact a substitute therefor, relating to agricultural seeds, beg leave to report they have had the same under consideration and recommend the adoption of the substitute bill herewith offered.

J. M. WILSON, *Chairman*.

#### INTRODUCTION OF BILLS.

By committee on judiciary No. 1, Senate File No. 486, substituted for Senate File No. 199 by Senator White, a bill for an act to repeal Section five thousand seventy seven-A-seventeen (5077-A-17) supplement to the code, 1913, and to enact a substitute therefor, relating to agricultural seeds.

Read first and second time and passed on file.

#### REPORTS OF COMMITTEES.

Senator Wilson, from the committee on judiciary Nos. 1 and 2, submitted the following report:

MR. PRESIDENT—Your joint committee on judiciary Nos. 1 and 2, to whom was referred Senate File No. 159, a bill for an act to promote the general welfare of the people of this state by creating a liability on the part of the employers to secure and compensate their employees and dependents, irrespective of the fault of either party, for personal injuries sustained by such employees when the same arise out of and in the course of their employment, and providing for such compensation and benefits; determining the conditions and terms under which certain employers and their employees may reject, and certain other employers and their employees may accept, the compensation provisions of this chapter; fixing the character and amount of such compensation and benefits and the manner of arriving at same, and also specifying the terms and conditions under which the same shall be paid; providing for the enforcement and administering of such compensation statute, and fixing penalties for the violation of its provisions; and repealing chapter 8-a, title XII, supplement to the code, 1913, and all acts amendatory thereof, and all other acts, or parts of acts, in conflict herewith, beg leave to report they have had the same under

consideration and return the same with the finding of the joint sub-committee of the committee on judiciary Nos. 1 and 2, to whom the same was assigned on the question of the constitutionality of the compulsory feature thereof, which finding is adopted by the full joint committee and the bill is therefore reported back to the Senate without further recommendation.

*To the Honorable Chairmen of Senate Judiciary Committees Nos. 1 and 2:*

Your joint sub-committee, to whom was referred Senate File No. 159, beg leave to report they have examined the bill and the authorities cited by the various parties at the hearings with reference to same; and the sub-committee reports the members thereof are not clearly convinced that the compulsory feature of the law is constitutional under the due process, equal protection, and right of trial by jury, provisions of the Iowa constitution; but the tendency of recent times is so strongly in favor of sustaining such laws, and the questions are so close, and the matters involved so important, that the committee feels that the determination of the constitutionality of the law should be left to the courts.

The committee further reports that from the authorities cited they find no objection from a constitutional standpoint as to that feature of the bill amending the provisions of the present law requiring that consuls of foreign nations shall have exclusive representation.

The committee further reports that it finds seemingly sound economic objections to section 14, sub-paragraph (f), and sub-paragraph (d), both of part IV, and to section 6 (g)-(17) of the bill. But the committee understands that it was not called upon to pass upon economic phases of the bill and so renders no opinion upon this point.

EUGENE SCHAFFER,  
JNO. R. PRICE,  
ADDISON M. PARKER,  
CHESTER W. WHITMORE,  
C. W. REED,  
O. A. BYINGTON,  
J. M. WILSON, *Chairman*.

March 19, 1919.

Ordered passed on file.

Senator Ratcliff, from the committee on conservation, submitted the following report:

MR. PRESIDENT—Your committee on conservation, to whom was referred House File No. 227, a bill for an act to amend the law as it appears in section twenty-nine hundred-b (2900-b), supplemental supplement to the code, 1915, relating to the sale of lake beds, beg leave to report they have had the same under consideration and recommend the same do pass.

W. C. RATCLIFF, *Chairman*.

Ordered passed on file.

On motion of Senator Kingland, Senate File No. 135, 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 the agent or employe of said party or one in privity with such party, or a person for whose benefit an action or proceeding is prosecuted, or defended; or 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 on motion to reconsider the vote by which the bill heretofore failed to pass the Senate.

On the question, "Shall the vote be reconsidered?" the vote was:

**Ayes, 29.**

Adams	Greenell	Pitt
Arney	Holdoegel	Rainbow
Balkema	Horchem	Ratcliff
Ball	Kimball	Reed
Brookhart	Kimberly	Scott
Broxam	Kingland	Smith
Cessna	LeCompte	Taylor
Coburn	Meredith	White
Evans	Nelson	Whitmore
Fellows	Newberry	

**Nays, 16.**

Byington	Parker	Shane
Foskett	Price	Stephenson
Poster	Proudfoot	Stoddard
Fralley	Rule	Thompson
Hale	Schaffter	Wilson
Haskell		

**Absent or not voting, 5.**

Anderson	Edwards	Van Aistine
Buser	Mitchell	

The motion to reconsider prevailed.

The motion filed by Senator Kingland to reconsider the vote by which the bill passed to its third reading was considered.

On the question, "Shall the vote be reconsidered?" the vote was:

Ayes, 12.

Byington	Parker	Schaffter
Fralley	Price	Shane
Haskell	Proudfoot	Thompson
Meredith	Rule	Wilson

Nays, 30.

Adams	Foster	Pitt
Arney	Hale	Rainbow
Balkema	Holdoegel	Ratcliff
Ball	Horchem	Reed
Brookhart	Kimball	Scott
Buser	Kimberly	Stephenson
Cessna	Kingland	Stoddard
Evans	LeCompte	Taylor
Fellows	Nelson	White
Foskett	Newberry	Whitmore

Absent or not voting, 8.

Anderson	Edwards	Smith
Broxam	Greenell	Van Alstine
Coburn	Mitchell	

The motion was lost.

On the question, "Shall the bill pass?" the vote was:

Ayes, 27.

Adams	Fellows	Newberry
Arney	Greenell	Pitt
Balkema	Holdoegel	Rainbow
Ball	Horchem	Reed
Brookhart	Kimball	Scott
Broxam	Kingland	Smith
Cessna	LeCompte	Taylor
Coburn	Meredith	White
Evans	Nelson	Whitmore

Nays, 19.

Buser	Kimberly	Shane
Byington	Parker	Stephenson
Foskett	Price	Stoddard
Foster	Proudfoot	Thompson
Fralley	Ratcliff	Wilson
Hale	Rule	
Haskell	Schaffter	



Absent or not voting, 4.

Anderson  
Edwards

Mitchell

Van Alstine

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

Senator Kingland moved that the vote by which Senate File No. 135 be reconsidered and that the motion to reconsider be laid on the table.

The president held the motion out of order, the matter having been once reconsidered.

Senator Parker was called to the chair at 10:00 a. m.

#### THIRD READING OF BILLS.

On motion of Senator Wilson, Senate File No. 24, a bill for an act to amend section two hundred and fifty-four-a two (254-a-2) Supplemental Supplement to the code, 1915, relating to the compensation of shorthand reporters of the district court, the report of committee recommending indefinite postponement, having previously been rejected, was taken up and considered.

Senator Ball offered the following amendment and moved its adoption:

Strike out of line 7 of the bill the words "twenty-four" and insert in lieu thereof the word "twenty".

The amendment was lost.

Senator Wilson 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 vote was:

Ayes, 35.

Adams  
Arney  
Balkema  
Cessna  
Coburn  
Evans  
Foskett  
Foster

Frailey  
Greenell  
Hale  
Haskell  
Holdoegel  
Horchem  
Kimball  
Kimberly

Kingland  
LeCompte  
Meredith  
Nelson  
Parker  
Price  
Proudfoot  
Rainbow

Ratcliff	Shane	White
Reed	Stephenson	Whitmore
Rule	Stoddard	Wilson
Schaffter	Van Alstine	

Nays, 6.

Ball	Buser	Pitt
Brookhart	Byington	Smith

Absent or not voting, 9.

Anderson	Fellows	Scott
Broxam	Mitchell	Taylor
Edwards	Newberry	Thompson

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

Senator Wilson moved that the vote by which the bill passed be reconsidered and the motion to reconsider be laid on the table.

The motion prevailed.

President Moore resumed the chair at 10:30.

On motion of Senator Whitmore, Senate File No. 475, a bill for an act in relation to the housing of the people in cities of the first class and special charter cities under commission form of government, to promote the health, safety and welfare of the people by regulating the light and ventilation, sanitation, fire protection, maintenance, alteration and improvement of dwellings; to define the classes of dwellings affected by the act, to establish administrative requirements and to establish remedies and fix penalties for the violation thereof; also providing that all other cities and incorporated towns may adopt ordinances for the regulation and control of any or all of such matters and fix penalties for the violation thereof; also providing that the State Board of Health may apply and enforce the provisions of this act in mining camps, a committee bill, was taken up and considered.

Senator Frailey moved the previous question, which motion prevailed and the previous question was ordered.

Senator Whitmore 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 vote was:

Ayes, 42.

Adams	Fralley	Pitt
Arney	Greenell	Price
Balkema	Hale	Ratcliff
Ball	Haskell	Reed
Brookhart	Holdoegel	Rule
Broxam	Horchem	Schaffter
Buser	Kimberly	Shane
Byington	Kingland	Smith
Cessna	LeCompte	Stephenson
Coburn	Meredith	Stoddard
Evans	Mitchell	Van Alstine
Fellows	Nelson	White
Foskett	Newberry	Whitmore
Foster	Parker	Wilson

Nays, none.

Absent or not voting, 8.

Anderson	Proudfoot	Taylor
Edwards	Rainbow	Thompson
Kimball	Scott	

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

#### EXPLANATION OF VOTE.

I desire to explain my vote on the housing bill.

The bill is an attempt by detailed state law to regulate the details of city regulation of building operations. It will interfere with the freedom of building, without affecting sanitation. It was pressed through the Senate without any discussion.

Amendment to the bill was immediately stopped as soon as the bill was explained.

I believe in a housing bill, but believe its details should be left to the rule of cities at home and was ready to propose the following amendment, but was prevented by the previous question:

Strike out all after the enacting clause and substitute the following:

SECTION 1. That no building, hotel, tenement house or other structure shall be built or maintained which is unsanitary, damp, dark or unfit for human habitation.

SEC. 2. That cities of 5,000 and over shall have authority to adopt suitable ordinances under this act to promote the health, safety and welfare of the people and dealing with light, ventilation and sanitations of human

habitations within their limits.

CLEM F. KIMBALL.

### THIRD READING OF BILLS.

On motion of Senator Foster, Senate File No. 476, a bill for an act to authorize the Superintendent of Banking to deny a certificate of authority for any proposed new bank or trust company to commence business; to provide a Board of Appeal; and to prohibit any more private banks from commencing business, provided private banks established previous to the date of enactment of said Act was not affected, and to provide publication of said Act, a committee bill, was taken up and considered.

Senator Frailey offered the following amendments and moved their adoption:

I move to amend Senate File No. 476 by inserting therein in lieu of the words "Executive Council" in section 1, lines 24, 29, 35, 36, 39, 40, 48, 51 and 52, the words "Committee on Retrenchment and Reform", and by striking from said lines the words "Executive Council".

Also by striking from section 1, lines 32 and 33, the words "Governor, as a member of the Executive Council" and inserting in lieu thereof the words "chairman of the Committee on Retrenchment and Reform".

Also by striking from section 1, line 33, the word "Governor" and inserting in lieu thereof the words "chairman of the Committee on Retrenchment and Reform".

The amendments were adopted.

Senator Foster offered the following amendments and moved their adoption:

I move that Senate File No. 476 be amended as follows:

1. Insert after the word "corporation" in line three (3), section two (2), the words "other than national banking associations".

2. Strike out the words "from making", in line four (4), section two (2), and substitute therefor the words "to make".

3. Strike out the words "from making", line nine (9), section two (2), and substitute therefor the words "to make".

4. Strike out the comma (,) at the end of line four (4), section three (3), and substitute therefor a period (.), and strike out from said section three (3), all of lines five, six, seven and eight.

The amendments were adopted.

Senator Meredith offered the following amendment and moved its adoption:

I move to strike out section 4.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 9.

Balkema	Cessna	Nelson
Broxam	Kimball	Pitt
Buser	Meredith	Scott

Nays, 34.

Adams	Hale	Reed
Arney	Haskell	Rule
Ball	Holdoegel	Schaffter
Brookhart	Horchem	Shane
Byington	Kimberly	Smith
Coburn	LeCompte	Stephenson
Evans	Mitchell	Stoddard
Fellows	Newberry	Taylor
Foskett	Parker	Van Alstine
Foster	Price	Whitmore
Frailey	Rainbow	Wilson
Greenell		

Absent or not voting, 7.

Anderson	Proudfoot	Thompson
Edwards	Ratcliff	White
Kingland		

The amendment was lost.

Senator Price moved the previous question, which motion prevailed and the previous question was ordered.

Senator Foster 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 vote was:

Ayes, 36.

Adams	Cessna	Greenell
Arney	Evans	Hale
Ball	Fellows	Haskell
Brookhart	Foskett	Holdoegel
Buser	Foster	Horchem
Byington	Frailey	Kimball

Kimberly	Proudfoot	Smith
LeCompte	Rainbow	Stephenson
Mitchell	Ratcliff	Stoddard
Newberry	Reed	Van Alstine
Parker	Schaffter	Whitmore
Price	Shane	Wilson

Nays, 6.

Cessna	Nelson	Rule
Meredith	Pitt	Taylor

Absent or not voting, 8.

Anderson	Edwards	Thompson
Balkema	Kingland	White
Broxam	Scott	

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

#### SPECIAL ORDER.

On motion of Senator Kimball, Senate File No. 73 was made a special order for March 26th, at 11:00 a. m.

#### VOTE ON SENATE FILE NO. 476 TABLED.

Senator Foster moved that the vote by which Senate File No. 476, passed the Senate be reconsidered, and that the motion to reconsider be laid on the table.

The motion prevailed.

#### CORRECTION OF JOURNAL.

The journal of March 25th was corrected and approved.

Senator Whitmore moved that the Senate adjourn until 1:30 p. m.

Senator Rule moved to amend by making the time 2:00 p. m.

The motion as amended prevailed and Senate adjourned until 2:00 p. m.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

## THIRD READING OF BILLS.

On motion of Senator Haskell, Senate File No. 379, a bill for an act granting additional powers to certain cities organized under the provisions of chapter fourteen-c (14-c), title V, sections ten hundred fifty-six-a-seventeen (1056-a-17) to ten hundred fifty-six-a-sixty-five (1056-a-65), inclusive, supplement to the code, 1913, and amendments thereto, in relation to selling or donating for county seat purposes, lands belonging to said cities, with report of committee recommending passage, was taken up for consideration and on motion of Senator Haskell, House File No. 516, a companion bill, was substituted therefor.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 41.

Adams	Greenell	Proudfoot
Anderson	Hale	Rainbow
Ball	Haskell	Reed
Brookhart	Holdoegel	Rule
Buser	Horchem	Schaffter
Byington	Kimberly	Scott
Cessna	Kingland	Shane
Coburn	LeCompte	Smith
Edwards	Meredith	Stephenson
Evans	Nelson	Stoddard
Fellows	Newberry	White
Foskett	Parker	Whitmore
Foster	Pitt	Wilson
Fralley	Price	

Nays, none.

Absent or not voting, 9.

Arney	K'mball	Taylor
Balkema	Mitchell	Thompson
Broxam	Ratcliff	Van Alstine

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 Parker, House File No. 11, a bill for an act to repeal section two thousand four hundred seventy-seven-c, Supplemental Supplement to the Code, and to enact a substitute therefor, relating to the hours that child labor may be

employed in the state of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 43.

Adams	Greenell	Rainbow
Anderson	Haskell	Ratcliff
Ball	Holdoegel	Reed
Brookhart	Horchem	Rule
Broxam	Kimberly	Schaffter
Buser	Kingland	Scott
Byington	LeCompte	Shane
Cessna	Meredith	Smith
Coburn	Nelson	Stephenson
Edwards	Newberry	Stoddard
Evans	Parker	Taylor
Fellows	Pitt	White
Foskett	Price	Whitmore
Foster	Proudfoot	Wilson
Fralley		

Nays, none.

Absent or not voting, 7.

Arney	Kimball	Thompson
Balkema	Mitchell	Van Alstine
Hale		

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

#### SENATE FILES WITHDRAWN.

By unanimous consent Senator Horchem withdrew Senate File No. 323 and 298 from further consideration.

By unanimous consent Senator Meredith withdrew Senate File No. 61 from further consideration.

By unanimous consent Senator Haskell withdrew Senate File No. 379 from further consideration.

#### THIRD READING OF BILLS.

On motion of Senator White, House File No. 41, a bill for an act to amend chapter eighty-nine (89), acts of the 37th General Assembly, relating to public aid to county or district fairs, with



report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 39.

Adams	Fralley	Ratcliff
Anderson	Greenell	Reed
Arney	Hale	Rule
Ball	Haskell	Schaffter
Brookhart	Holdoegel	Scott
Broxam	Horchem	Shane
Byington	Kimberly	Stephenson
Cessna	LeCompte	Stoddard
Coburn	Meredith	Taylor
Edwards	Parker	Van Alstine
Evans	Pitt	White
Fellows	Proudfoot	Whitmore
Foskett	Rainbow	Wilson

Nays, 1.

Buser

Absent or not voting, 10:

Balkema	Mitchell	Price
Foster	Nelson	Smith
Kimball	Newberry	Thompson
Kingland		

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 Kimberly, Senate File No. 442, a bill for an act to legalize the plat and dedication of the incorporated Town of Long Grove, Scott County, Iowa, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking out all of line one (1) of section one (1), and by striking out the words "records legalized" in the first (1st) line of section two (2).

Senator Kimberly 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 vote was:

Ayes, 39.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Broxam	Kimberly	Scott
Buser	Kingland	Shane
Cessna	Meredith	Smith
Coburn	Nelson	Stephenson
Fellows	Newberry	Stoddard
Foskett	Parker	Taylor
Foster	Pitt	Whitmore
Frailey	Proudfoot	Wilson

Nays, none.

Absent or not voting, 11.

Brookhart	Kimball	Thompson
Byington	LeCompte	Van Alstine
Edwards	Mitchell	White
Evans	Price	

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 Holdoegel, House File No. 284, a bill for an act to amend the law as it appears in section one thousand nine hundred eighty-nine-a-two (1989-a2) of the Supplement to the Code, 1913, relating to the report of engineers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 44.

Adams	Broxam	Edwards
Anderson	Buser	Evans
Arney	Byington	Fellows
Balkema	Cessna	Foskett
Brookhart	Coburn	Foster

Frailey	Newberry	Shane
Greenell	Parker	Smith
Hale	Pitt	Stephenson
Haskell	Proudfoot	Stoddard
Holdoegel	Rainbow	Taylor
Horchem	Ratcliff	Van Alstine
Kimball	Reed	White
Kimberly	Rule	Whitmore
Kingland	Schaffter	Wilson
Nelson	Scott	

Nays, none.

Absent or not voting, 6.

Ball	Meredith	Price
LeCompte	Mitchell	Thompson

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 Hale, House File No. 318, a bill for an act to amend sections (2707-A76) and (2727-a82) and repeal section (2727-83) of the title (13), chapter (11) supplement to the code, 1913, relative to the requirements of patients, for admission to the tuberculosis sanitarium at Oakdale, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Byington offered the following amendment and moved its adoption:

Strike out the word "sanitarium" in line 17 of Section 2 and insert in lieu thereof the word "sanitorium."

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 43.

Adams	Broxam	Evans
Anderson	Buser	Fellows
Arney	Byington	Foskett
Balkema	Cessna	Poster
Ball	Coburn	Frailey
Brookhart	Edwards	Greenell

Hale	Newberry	Schaffter
Haskell	Parker	Scott
Holdoegel	Pitt	Shane
Horchem	Proudfoot	Stoddard
Kimball	Rainbow	Taylor
Kimberly	Ratcliff	White
Kingland	Reed	Whitmore
Meredith	Rule	Wilson
Nelson		

Nays, none.

Absent or not voting, 7.

LeCompte	Smith	Thompson
Mitchell	Stephenson	Van Alstine
Price		

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Byington offered the following amendment to the title and moved its adoption:

Strike from line 6 of the title the word "sanitarium" and insert in lieu thereof the word "sanitorium".

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Whitmore, Senate File No. 184, a bill for an act to amend the law as it appears in chapter one hundred thirty-three (133), Acts of the Thirty-seventh (37) General Assembly, by making all of the provisions of said act applicable to the shipment of liquors to hospitals, and wine for sacramental purposes to regularly ordained ministers, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Whitmore offered the following amendment as a substitute for the amendments proposed by the committee:

I move to amend Senate File No. 184 by striking the quotation marks at the end of line 18, section 1, and changing the period in said line to a semicolon, and adding the following:

"Provided: that as to such clergyman's permit the county attorney shall, without charge, prepare and present the application; the bond required to cover the shipment of a sacramental wine shall be in the sum of five hundred dollars (\$500.00); the application for such clergyman's permit shall give the name and postoffice address of the applicant, and

show that he is duly ordained and in charge of such church, giving its name and address; and shall recite that such wine is only for sacramental use of such church and will not be used for any other purpose."

SEC. 2. Any person receiving or having shipped any intoxicating liquors under the provisions of this act, and using or permitting the same to be used for any purpose other than for those herein authorized, or using or permitting the same to be used for beverage purposes, shall be guilty of a misdemeanor and shall forfeit all his rights under any permit granted under the provisions of this act.

SEC. 3. Any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and any violation of the liquor laws of this state by a permit holder shall automatically revoke any permit held by him.

Renumber section 2 as section 4.

Senator Frailey moved that Senate File No. 481 be substituted on the calendar for Senate File No. 184 and pending amendments thereto.

The motion prevailed.

On motion of Senator Taylor, Senate File No. 481, a bill for an act to authorize any minister, priest or rabbi to obtain a permit authorizing the purchase, transportation, use and possession of sacramental wines used by such ministers, priests or rabbis and providing penalties for the violation, a committee bill, on motion substituted for Senate File No. 184, was taken up and considered.

The following amendment previously filed by Senator Whitmore was considered:

I move to amend Senate File No. 481 by adding thereto at the end of Section 2, the following:

3. That such wine is intended and shall be used only for sacramental and shall not be used for any other purpose.

Senator Foster moved that the amendment be laid on the table.

The motion was withdrawn.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 7.

Balkema  
Ball  
Brookhart

Buser  
Price

Proudfoot  
Whitmore

## Nays, 37.

Adams	Greenell	Ratcliff
Anderson	Hale	Reed
Arney	Haskell	Rule
Broxam	Holdoegel	Schaffter
Byington	Horchem	Scott
Cessna	Kimball	Shane
Coburn	Kimberly	Smith
Edwards	LeCompte	Stephenson
Evans	Nelson	Stoddard
Fellows	Newberry	Taylor
Foskett	Parker	White
Foster	Rainbow	Wilson
Frailey		

## Absent or not voting, 6.

Kingland	Mitchell	Thompson
Meredith	Pitt	Van Alstine

The amendment was lost.

Senator Wilson moved the previous question, which motion prevailed and the previous question was ordered.

Senator Taylor 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 vote was:

## Ayes, 41.

Adams	Greenell	Rainbow
Anderson	Hale	Reed
Arney	Haskell	Rule
Palkema	Holdoegel	Schaffter
Broxam	Horchem	Scott
Byington	Kimball	Shane
Cessna	Kimberly	Smith
Coburn	Kingland	Stoddard
Edwards	LeCompte	Taylor
Evans	Meredith	Van Alstine
Fellows	Nelson	White
Foskett	Newberry	Whitmore
Foster	Parker	Wilson
Frailey	Proudfoot	

## Nays, 3.

Brookhart	Buser	Ratcliff
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## Absent or not voting, 6.

Ball	Pitt	Stephenson
Mitchell	Price	Thompson

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

Senator Frailey moved that Senate File No. 184 be indefinitely postponed.

The motion prevailed.

#### SENATE FILE NO. 478 CALLED FROM COMMITTEE.

Senator Kimball offered the following motion:

I move that the committee on motor vehicles report out, with or without recommendation, Senate File No. 478, by ways and means committee, before noon, Wednesday, March 26th.

The motion prevailed.

#### MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House File No. 262, a bill for an act to amend section fifty-two hundred and fifty-six (5256), supplement to the code, 1913, relating to the appointment of clerks of the grand jury and fixing salaries thereof.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 510, a bill for an act to provide for establishing a warning card to be placed on any house, dwelling or place, regarding a communicable disease, where the attending physician is in doubt as to the proper diagnosis, or the householder or person having a communicable disease is in doubt as regards the diagnosis when no physician has been in attendance.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 496, a bill for an act to amend section five hundred sev-

enty-six (576), supplement to the code, 1913, relating to the duties of township clerks and the deposit of public funds collected by them.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 407, a bill for an act to provide for any emergency of epidemic or of peril to the public health which may require the expenditure of a larger sum of money than has been appropriated for the state board of health, and making an appropriation for the purpose of carrying into effect the provisions of this act.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 section thirty-two hundred sixty-n (3260-n) of the supplement to the code, 1913, increasing the annual appropriation of paying the expenses of inspecting institutions in which insane persons are kept.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 authorizing and directing the governor and secretary of state to execute and deliver to Homer Clark a patent conveying government lot 2 of section 31, township 77 north, range 20 west 5th p. m., in Marion County, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 448, a bill for an act to repeal Section Two Thousand Seven Hundred Forty-eight (2748), of Chapter Fourteen (14) of the Code, relating to school officers, and to enact in lieu thereof the following.

W. C. RAMSAY, *Chief Clerk.*



Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 251, a bill for an act to amend title five (V), chapter nine (9), of the Code, relating to park commissioners and board of public works, by repealing section eight hundred fifty-c (850-c) and eight hundred fifty-f (850-f), supplement to the code, 1913, and enacting substitutes therefor, providing for additional funds for parks, with provisions for borrowing money and issuing bonds therefor, and for acquisitions of real estate and the permanent improvement thereof.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 452, a bill for an act to repeal section eight hundred fourteen (814) of the Supplement to the Code of 1913, and enacting a substitute therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 to amend Section Twenty-three hundred forty-one-q (2341-q), Supplemental Supplement to the Code, 1915, referring to false pedigrees of stock.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 264, a bill for an act to amend section 254-a23 of the supplement to the code, 1913, relating to juvenile courts.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has engrossed and returned Senate File No. 94 as requested by the Senate.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 7, 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, relating to the right of suffrage.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 97, a bill for an act to amend the law as it appears in section forty-nine hundred and seventy (4970) of the code, relating to the transportation of live stock by common carriers.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 122, a bill for an act to amend the law as it appears in section two hundred fifty-four-a20 (254-a20), supplement to the code, 1913, relating to financial aid for widowed mothers.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 339, a bill for an act to repeal section 2, chapter 168, acts of the sixteenth general assembly, and section 2640-a, supplement to the code, 1913; and to authorize and direct the state board of education to establish and maintain a department of homeopathic materia medica and therapeutics in the college of medicine of the State University of Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House requests the return of Senate File No. 190.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House requests the return of Senate File No. 281.

W. C. RAMSAY, *Chief Clerk.*

On motion of Senator Frailey, the request was granted and Senate Files Nos. 190 and 281 were returned to the House.

#### HOUSE MESSAGES CONSIDERED.

House File No. 407, a bill for an act to provide for any emergency of epidemic or of peril to the public health which may require the expenditure of a larger sum of money than has been appropriated for the state board of health, and making an appropriation for the purpose of carrying into effect the provisions of this act.

Read first and second time and referred to committee on public health.

House File No. 528, a bill for an act to amend section thirty-two hundred sixty-n (3260-n) of the supplement to the code, 1913, increasing the annual appropriation for paying the expenses of inspecting institutions in which insane persons are kept.

Read first and second time and referred to committee on departmental affairs.

House File No. 466, a bill for an act authorizing and directing the Governor and Secretary of state to execute and deliver to Homer Clark a patent conveying Government Lot 2 of Section 31, Township 77 North, Range 20 West 5th P. M., in Marion County, Iowa.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 534, a bill for an act to amend Section Twenty-three hundred forty-one-q (2341-q), Supplemental Supplement to the Code, 1915, referring to false pedigrees of stock.

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

House File No. 264, a bill for an act to amend section 254-a23 of the supplement to the code, 1913, relating to juvenile courts.

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

House File No. 452, a bill for an act to repeal section eight hundred fourteen (814) of the Supplement to the Code of 1913, and enacting a substitute therefor.

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

House File No. 251, a bill for an act to amend title five (V), chapter nine (9), of the Code, relating to park commissioners and board of public works, by repealing section eight hundred fifty-c (850-c) and eight hundred fifty-f (850-f), supplement to the code, 1913, and enacting substitutes therefor, providing for additional funds for parks, with provisions for borrowing money and issuing bonds therefor, and for acquisitions of real estate and the permanent improvement thereof.

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

House File No. 448, a bill for an act to repeal Section Two Thousand Seven Hundred Forty-eight (2748), of Chapter Fourteen (14) of the Code, relating to school officers, and enact in lieu thereof the following.

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

House File No. 262, a bill for an act to amend section fifty-two hundred and fifty-six (5256), supplement to the code, 1913, relating to the appointment of clerks of the grand jury and fixing salaries thereof.

Read first and second time and referred to committee on county and township affairs.

House File No. 510, a bill for an act to provide for establishing a warning card to be placed on any house, dwelling or place, re-

garding a communicable disease, where the attending physician is in doubt as to the proper diagnosis, or the householder or person having a communicable disease is in doubt as regards the diagnosis when no physician has been in attendance.

Read first and second time and referred to committee on public health.

House File No. 496, a bill for an act to amend section five hundred seventy-six (576), supplement to the code, 1913, relating to the duties of township clerks and the deposit of public funds collected by them.

Read first and second time and referred to committee on county and township affairs.

#### HOUSE JOINT RESOLUTION NO. 1.

Joint resolution proposing an amendment to the constitution of the State of Iowa authorizing cities to acquire by gift, purchase or condemnation, lands for establishing, laying out, widening, enlarging, extending, and maintaining memorial or art grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public buildings, and reservations in and about and along and leading to any or all of the same; with the right after the establishment, laying out and completion of such improvement to lease or convey any excess thus acquired and not necessary for such improvement, with or without reservations as to the use thereof; and authorizing the issuance of bonds to supply the funds in whole or in part to pay for the excess so appropriated or otherwise acquired.

*Be it Enacted by the General Assembly of the State of Iowa:*

That the following amendment to the constitution of the State of Iowa is hereby proposed, to-wit:

SECTION 1. Cities may acquire by gift, purchase or condemnation, lands for establishing, laying out, widening, enlarging, extending, and maintaining memorial or art grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public buildings, and reservations in and about and along and leading to any or all of the same; and after the establishment, laying out and completion of such improvements, may lease or convey any such real estate thus acquired and not necessary for such improvements, with or without reservations concerning the future use and occupation of such real estate, so as to protect such public work and improvements, and their environs, and to preserve the view, appearance, light, air, and usefulness of such public works. Bonds may be issued to supply the funds in whole or in part to pay for the excess property so appropriated or otherwise acquired, but said bonds shall be a lien only against the property so acquired, for the improvement and excess, and they shall not

be a liability of the municipality nor be included in any limitation of the bonded indebtedness of such municipality prescribed by law,

#### REPORTS OF COMMITTEES.

Senator Ball, from the committee on public health, submitted the following report:

MR. PRESIDENT—Your committee on public health, to whom was referred House File No. 255 (by Moore and McFarlane), a bill for an act to repeal sections 2514-h, 2514-m, 2514-q, 2514-s, 2514-t, of the supplement to the code, 1913, and enact substitutes therefor, also amend section 2514-u, and 2514-w of the supplement to the code, 1913, relating to the inspection of hotels and providing for the licensing thereof, 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:

By inserting between the word "business" and the semicolon in line 20 of section one the following: "which application shall be accompanied by a statement showing the maximum rates to be charged for each room in such hotel to the guests when occupied by one guest, by two guests, by three guests or more and on the first day of July and January in each year thereafter; and the rate for each room shall be posted on a card on the inside of the entrance door to such room in type of such size and dimension sufficiently large to be easily read. A complete list of rooms by number and floor, together with rate for each room, shall be continuously kept posted on the wall near the office in the lobby of such hotel and open to public inspection without request from the management and no greater rate shall be charged or collected."

That said section one shall be amended by striking out the word "no" in line 44 thereof and adding in lieu thereof the word "said" and by striking out the "period" at the end of line 45 and adding the following: "upon payment of one dollar for such transfer."

Amend section two by striking out the period at the end of line 21 and placing in lieu thereof a comma and adding the following: "in the same room", and by striking out of lines 31 and 32 of said section the following: "a transom over the door at least twelve inches in height and as wide as the door" and by adding in lieu thereof "sufficient ventilation in the door or doorway or by such other equivalent improvement as may be later discovered" and by adding after the word "under" in line 43 of said section the following: "sheets sufficiently large to cover the mattress" and by striking out the word "each" in said line 42.

And by adding after the word "guests" in line 59 of said section the words "in guest rooms" and by striking out the word "such" in line 62 of said section and by adding the words "linen or" after the word "table" at the end of line 70 of said section.

By striking out all of section four beginning with the words "in case"

in line 15 of said section and adding thereto the following: "provided however that the inspectors of hotels shall not have power to cancel, annul or invalidate any license issued, except, upon the judgment of a court of record or municipal court."

By inserting after the word "conviction" in line 6 of section seven the following: "of any court of competent jurisdiction."

GEO. W. BALL, *Chairman.*

Ordered passed on file.

Senator Holdoegel, from the committee on departmental affairs, submitted the following report:

MR. PRESIDENT—Your committee on departmental affairs, to whom was referred Senate File No. 265, a bill for an act to repeal Section Five (5), Chapter Forty (40), of the Acts of the 37th General Assembly of the State of Iowa, and to enact a substitute therefore, relating to the appointment, qualifications and salary of bank examiners, and to department assistants and expenses; to repeal Section Eighteen Hundred Seventy-five (1875), Supplemental Supplement to the Code, 1915, and as amended by Section Five (5), Chapter Forty (40) of the Acts of the 37th General Assembly of the State of Iowa, and to enact a substitute therefor, relating to fees, 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:

Amend Section One (1) by striking out of line five (5) the word "such" and inserting in lieu thereof the word "eleven". Also, strike out that part following the comma after the word "years" in line six (6) down to and including the comma following the word "him" in line eleven (11). Also, following the semicolon in line fourteen (14), strike out of lines fourteen (14), fifteen (15), sixteen (16) and seventeen (17), down to and including the semicolon following the word "supervision". Strike out of line twenty-five (25) the words "Deputy Superintendent and". Strike out of line twenty-eight (28) the word "thirty-six" and insert in lieu thereof the word "twenty-six". Strike out of line twenty-nine (29) the figures "\$3600" and insert in lieu thereof the figures "\$2600". Strike out of lines thirty-five (35) and thirty-six (36) the words "The Deputy Superintendent and". Strike out of line forty-three (43), where they appear, the words "actual and". Strike out of line forty-five (45) the words, where they appear, "actual and". Following the period in line forty-eight (48), strike out all down to and including the word "but" in line sixty-two (62). Strike out of line sixty-three (63) the words "expense and". Strike out of lines seventy-five (75) and seventy-six (76) the words and figures "one (\$1) dollar per one thousand (\$1000) dollars of assets" and insert in lieu thereof the words and figures "fifteen (\$15) dollars". Strike out of line seventy-seven (77) the word and figure "two (2c)" and insert in lieu thereof the word and figure "three (3c)". Strike out of lines seventy-nine (79),

eighty (80) and eighty-one (81) the words "provided that no examination shall be made for less than twenty-five (\$25) dollars".

P. C. HOLDOEGEL, *Chairman*.

Ordered passed on file.

#### MINORITY REPORT OF COMMITTEE.

MR. PRESIDENT—The following members of the committee on departmental affairs, to whom was referred Senate File No. 265, a bill for an act to repeal section five (5), chapter forty (40) of the acts of the 37th general assembly of the state of Iowa, and to enact a substitute therefor, relating to the appointment, qualifications and salary of bank examiners, and to department assistants and expenses; to repeal section eighteen hundred seventy-five (1875), supplemental supplement to the code, 1915, and as amended by section five (5), chapter forty (40) of the acts of the 37th general assembly of the state of Iowa, and to enact a substitute therefor, relating to fees, beg leave to report that after careful consideration of said bill they recommend that the said bill be amended as follows and when so amended that the same do pass:

Strike out the words and figures "thirty-six hundred (\$3600)" and insert in lieu thereof the words and figures "three thousand (\$3000)" (see lines 28 and 29 of section 1 of the printed bill); and strike out all of that part of section 1 which provides for the actual and necessary expenses incurred in attending district and group meetings and state conventions, etc., being all of section 1, including and following the period and the word "The" in line 48 of the printed bill, down to and including the word "year" in line 58 of the printed bill.

Respectfully submitted,

W. W. ANDERSON,  
H. I. FOSKETT,  
W. T. EVANS,  
M. B. PITT,  
CHESTER W. WHITMORE.

#### SPECIAL ORDER.

On motion of Senator Holdoegel, Senate File No. 277 was made a special order for Friday, March 28th, at 10:00 a. m.

On motion of Senator Schaffter, motion for reconsideration of Senate File No. 124 was made a special order for Wednesday, March 26th, at 9:30 a. m.

On motion of Senator Newberry, Senate adjourned until 9:00 a. m. Wednesday.



# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 26, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. V. R. McCortney of the First Presbyterian Church of Waterloo.

## PETITIONS AND MEMORIALS.

Senator Fellows presented a remonstrance of citizens of Fayette County against bond issue for hard roads.

Referred to committee on highways.

## REPORTS OF COMMITTEES.

Senator Hale, from the committee on board of control, submitted the following report:

MR. PRESIDENT—Your committee on board of control, to whom was referred Senate File No. 371, a bill for an act to abolish the state hospital for inebriates at Knoxville, etc., beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. K. HALE, *Chairman.*

On the question, "Shall the report of the committee be adopted?" the vote was:

Ayes, 17.

Balkema  
Buser  
Byington  
Coburn  
Evans  
Fellows

Foskett  
Hale  
Horchem  
Parker  
Ratcliff  
Reed

Smith  
Stephenson  
Taylor  
White  
Wilson

Nays, 19.

Adams  
Anderson  
Arney  
Ball

Brookhart  
Edwards  
Greenell  
Haskell

Kimball  
Kingland  
Meredith  
Newberry

Proudfoot  
Rainbow  
Rule

Schaffter  
Shane

Stoddard  
Whitmore

Absent or not voting, 14.

Broxam  
Cessna  
Foster  
Fralley  
Holdoegel

Kimberly  
LeCompte  
Mitchell  
Nelson  
Pitt

Price  
Scott  
Thompson  
Van Alstine

The report was rejected and the bill ordered placed on the calendar.

Senator Parker, 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. 303, a bill for an act to repeal Section six hundred ninety-four-c six (694-c6) of the Supplemental Supplement to the Code of Iowa, 1915, and to enact a substitute therefor providing for the number of Judges of the Municipal Court, and the Clerks and Bailiffs thereof, and the method of appointment, nomination and election, and tender of office, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 535, a bill for an act to confer additional power on cities now or hereafter having a population of eighty-five (85,000) thousand inhabitants or over, including cities acting under the commission plan of government, relating to municipal court buildings, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 319, a bill for an act to amend the law as it appears in Section nine hundred thirty-seven (937), Supplemental Supplement to the Code, 1915, relative to Cities under Special Charters, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 392, a bill for an act to amend the law as it appears in Chapter fifty-one (51), Section one (1), Acts of the Thirty-seventh (37th) General Assembly, relating to community center houses and recreation grounds, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 133, a bill for an act to amend Chapter one hundred thirty-one (131), Acts of the Thirty-seventh General Assembly, relating to the levying of taxes for fire fund, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 208, a bill for an act to amend Section six hundred fifty-one (651), Supplement to the Code, 1913, relating to the appointment of officers in cities and towns, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 205, a bill for an act to amend the law as it appears in Chapter one hundred thirty-one (131), Laws of the Thirty-seventh (37th) General Assembly, relative to levying taxes by cities and towns for the purpose of equipping fire departments, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 266, a bill for an act to amend Section seven hundred seventy-seven (777), Supplement to the Code, 1913, relating to temporary sidewalks in

cities and towns, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 389, a bill for an act to amend the law as it appears in Section 694-C42 of the Supplemental Supplement to the Code, 1915, relating to the pay of Jurors in Municipal Courts, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 213, a bill for an act to amend Section nine hundred forty-five (945), Code of 1897, relative to the compensation of Mayor, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 214, a bill for an act to amend Section nine hundred forty-three (943), Code of 1897, relating to compensation of Alderman, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred Senate File No. 414, by Arney, a bill for an act to amend the law as it appears in Section seven hundred (700), Supplement to the Code, 1913, relating to general powers of cities and towns, and providing for the licensing and regulating of persons, firms and corporations, engaged in the business of painting, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman*.

On motion of Senator Parker, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on cities and towns, to whom was referred House File No. 215, a bill for an act authorizing counties, cities and towns to erect and equip, or purchase and equip soldiers', sailors' and marines' memorial buildings, to purchase or condemn necessary grounds therefor, and to issue bonds therefor, and to levy a special tax for the purpose of liquidating said bonds, and in case of municipalities, for the maintenance of such buildings, supplemental to Chapter four (4), Title five (5) of the code, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 190, a bill for an act to amend Section two thousand one hundred fifty-seven-g (2157-g), Supplement to the Code, 1913, relating to persons entitled to transportation on common carriers, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Senator Kingland, 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. 8, a joint resolution proposing to amend the Constitution of the State 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, beg leave to report they have had the same under consideration and recommend the same do pass.

T. A. KINGLAND, *Chairman.*

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. 389, a bill for an act creating a State Purchasing committee with authority to advertise for, receive and accept bids for bridge lumber, paving brick, cement reinforcing steel and culverts, 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:

Amend by changing the words "bridge lumber" in the title and body of the bill by substituting therefor the words "bridge material."

Amend Sec. 3 by striking from line 2 thereof the word "specifications" and inserting in lieu thereof the word "estimates."

Add as section 6 thereof, the following: "The State Highway Commission is hereby authorized to defray the expense incurred by the performance of the duties as provided in this act from its maintenance fund."

Add as section 7 the following: "All acts and parts of acts inconsistent or contrary to the provisions of this act shall be inoperative as regards the provisions of this act."

N. BALKEMA, *Chairman.*

Ordered passed on file.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred House File No. 290, a bill for an act to amend section twenty-seven hundred seventy-three (2773) supplement to the Code, 1913, and twenty-seven hundred thirty-three-one a (2733-1a), Supplement to the Code, 1915, relating to the length of time pupils may attend the public schools and the payment of tuition in certain cases, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Also:

Your committee on public schools, to whom was referred House File No. 6, a bill for an act requiring the use of the English language as the medium of instruction in all secular subjects in all schools within the state of Iowa, 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:

By inserting the word "teaching" before the word "secular" in the fourth line of the bill, also that said bill be further amended by inserting the following after the word "prohibited" in line five thereof the following to wit: "and the teaching of any language other than English in the public schools, below the high schools is hereby prohibited."

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Also:

Your committee on public schools, to whom was referred House File No. 425, a bill for an act to amend the law as it appears in section twenty-six hundred twenty-nine (2629) Supplement to the Code 1913, relating to certification of teachers, beg leave to report they have had the same un-

der consideration and recommend that the attached committee bill be substituted therefor:

BYRON W. NEWBERRY, *Chairman.*

#### INTRODUCTION OF BILLS.

By committee on public schools, Senate File No. 487, a bill for an act to amend the law as it appears in section twenty-seven hundred thirty-four-b (2734-b), supplemental supplement to the code, 1915, relating to the qualification of county superintendents.

Read first and second time and ordered passed on file.

#### CORRECTION OF JOURNAL.

The journal of March 25th was corrected and approved.

#### SENATE FILES WITHDRAWN.

By unanimous consent Senator Anderson withdrew Senate File No. 84 from further consideration.

By unanimous consent Senator Whitmore withdrew Senate File No. 33 from further consideration.

#### BILLS RE-REFERRED.

By unanimous consent on request of Senator Coburn, Senate Files Nos. 212 and 482 were re-referred to the committee on agriculture.

#### MOTION TO RECONSIDER CALLED UP.

Senator Schaffter called up the motion filed to reconsider the vote by which Senate File No. 124 passed the Senate, and also the vote by which it passed to its third reading.

Senator Schaffter moved that the motion to reconsider be laid on the table.

On the question, "Shall the motion to reconsider be laid on the table?" the vote was:

Ayes, 28.

Adams  
Anderson

Broxam  
Cessna

Coburn  
Edwards

Evans	Meredith	Schaffter
Fralley	Parker	Scott
Greenell	Proudfoot	Shane
Hale	Rainbow	Stoddard
Haskell	Ratcliff	Thompson
Horchem	Reed	White
Kimball	Rule	Wilson
Kimberly		

Nays, 18.

Arney	Fellows	Nelson
Balkema	Foskett	Newberry
Ball	Foster	Smith
Brookhart	Holdoegel	Stephenson
Buser	Kingland	Taylor
Byington	LeCompte	Whitmore

Absent or not voting, 4.

Mitchell	Price	Van Alstine
Pitt		

The motion prevailed.

#### SPECIAL REPORT OF COMMITTEE ON MOTOR VEHICLES.

MR. PRESIDENT—As chairman of the committee on motor vehicles I herewith return Senate File No. 478 to the Senate, a bill for an act amending chapter 2B, title VIII of the supplement to the code, 1913, and of the supplemental supplement, 1915, and relating to the licensing, numbering, taxing and registering of motor vehicles, etc.

H. C. WHITE.

#### THIRD READING OF BILLS.

On motion of Senator Frailey Senate File No. 324, a bill for an act to amend the law as it appears in section 1333-d Supplement to the Code, 1913, relating to taxation of money and credits of domestic insurance corporations, and fixing the basis upon which such tax shall be calculated, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

By unanimous consent on request of Senator Frailey, the words "of the money and credits" were stricken from line 3 of the title.

Senator Frailey 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 vote was:



## Ayes, 43.

Adams	Foster	Rainbow
Anderson	Frailey	Ratcliff
Arney	Greenell	Reed
Balkema	Hale	Rule
Ball	Haskell	Schaffter
Brookhart	Holdoegel	Scott
Broxam	Horchem	Smith
Buser	Kimberly	Stephenson
Byington	LeCompte	Stoddard
Cessna	Meredith	Thompson
Coburn	Nelson	Van Alstine
Edwards	Parker	White
Evans	Price	Whitmore
Fellows	Proudfoot	Wilson
Foskett		

## Nays, 1.

Taylor

## Absent or not voting, 6.

Kimball	Mitchell	Pitt
Kingland	Newberry	Shane

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 Newberry, Senate File No. 368, a bill for an act to aid in the securing of loans by deserving persons whose business or circumstances are such as to make it desirable or convenient for them to accumulate funds with which to repay such loans by paying into a fund comparatively small amounts at frequent intervals, and to provide for the taxation of corporations engaged in such loan business, with report of committee recommending passage, was taken up for consideration, and House File No. 398, a companion bill, was substituted therefor on request of Senator Newberry.

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

On the question, "Shall the bill pass?" the vote was:

## Ayes, 42.

Adams	Balkema	Broxam
Anderson	Ball	Buser
Arney	Brookhart	Coburn

Edwards	Meredith	Rule
Evans	Mitchell	Schaffter
Fellows	Nelson	Scott
Foskett	Newberry	Shane
Foster	Parker	Stephenson
Fralley	Pitt	Stoddard
Hale	Price	Taylor
Haskell	Proudfoot	Van Alstine
Holdcegel	Rainbow	White
Kimball	Ratcliff	Whitmore
LeCompte	Reed	Wilson

Nays, none.

Absent or not voting, 8.

Byington	Horchem	Smith
Cessna	Kimberly	Thompson
Greenell	Kingland	

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 Pitt, Senate File No. 321, a bill for an act to amend section five thousand sixty-seven-a (5067-a) of the Supplement to the Code, 1913, relating to combinations, pools and trusts, and excepting labor unions from the operation of said section, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by inserting in the 10th line of Section One (1) after the word "purpose" a comma and the words "by lawful means".

Senator Pitt 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 vote was:

Ayes, 48.

Adams	Coburn	Horchem
Anderson	Edwards	Kimball
Arney	Evans	Kimberly
Balkema	Fellows	Kingland
Ball	Foskett	LeCompte
Brookhart	Foster	Meredith
Broxam	Fralley	Mitchell
Buser	Greenell	Nelson
Byington	Hale	Newberry
Cessna	Haskell	Parker

Pitt	Rule	Taylor
Price	Schaffter	Thompson
Proudfoot	Scott	Van Alstine
Rainbow	Shane	White
Ratcliff	Stephenson	Whitmore
Reed	Stoddard	Wilson

Nays, none.

Absent or not voting, 2.

Holdoegel                      Smith

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 Whitmore, Senate File No. 301, a bill for an act to amend section fifteen hundred seventy-one-m-eighteen (1571-m-18) of the supplement to the code, 1913, relating to operation of motor vehicles, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Byington was called to the chair at 10:30.

Senator Evans offered the following amendment, and moved its adoption:

Amend by striking out the words "public street or" in line 6 of Section 1.

Senator Rule moved that the bill be re-referred to the committee on motor vehicles.

Senator Whitmore raised the point of order that the motion was out of order, as an amendment was pending.

The point was held to be well taken.

Senator Whitman raised the point of order that a motion to refer could not be substituted for a pending amendment.

The point of order was sustained.

On the question, "Shall the amendment offered by Senator Evans be adopted?" the vote was:

Ayes, 5.

Evans  
Haskell

LeCompte  
Parker

Ratcliff

## Nays, 37.

Adams	Foskett	Rainbow
Anderson	Haie	Reed
Arney	Holdoegel	Rule
Balkema	Horchem	Schaffter
Ball	Kimball	Scott
Brookhart	Kimberly	Shane
Broxam	Meredith	Stoddard
Buser	Mitchell	Taylor
Byington	Nelson	Thompson
Cessna	Newberry	White
Coburn	Price	Whitmore
Edwards	Proudfoot	Wilson
Fellows		

## Absent or not voting, 8.

Foster	Kingland	Stepnenson
Fralley	Pitt	Van A'stine
Greenell	Smith	

The amendment was lost.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking out the word "right" in line 8 of section 1, and inserting in lieu thereof the words "east or west".

Senator Parker moved that the bill be re-referred to the committee on motor vehicles.

Senator Whitmore raised the point of order that the motion was out of order while an amendment was pending.

The point of order was held to be well taken.

Senator Parker appealed from the decision of the chair.

The decision was sustained.

Senator Balkema moved the previous question, which motion prevailed and the previous question was ordered.

The amendment offered by Senator Buser was lost.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend the bill as follows, by adding thereto:

"Sec. 2. That section 1 shall be paragraph 11 of said section of the Supplement to the Code, 1913, and that the remaining paragraphs be successively renumbered to comply therewith."

The amendment was adopted.

Senator Parker renewed his motion to re-refer the bill to the committee on motor vehicles.

The motion was lost.

Senator Whitmore 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 vote was:

Ayes, 35.

Adams	Foster	Reed
Anderson	Holdoegel	Scott
Balkema	Horchem	Shan
Ball	Kimball	Stephenson
Brookhart	Kingland	Stoddard
Broxam	Meredith	Taylor
Byington	Mitchell	Thompson
Cessna	Nelson	Van Alstine
Coburn	Newberry	White
Edwards	Price	Whitmore
Fellows	Proudfoot	Wilson
Foskett	Rainbow	

Nays, 12.

Arney	Hale	Parker
Buser	Haskell	Rule
Evans	Kimberly	Schaffter
Greenell	LeCompte	Smith

Absent or not voting, 3.

Fralley	Pitt	Ratcliff
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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. 73, a bill for an act authorizing the erection of a Soldiers' and Sailors' Memorial in form of a building for the housing of the library and all judicial departments of the state and providing for a Joint Committee to provide plans and contracts, fixing the approximate cost, providing for the erection of the same under section fourteen hundred-t two (1400-t2) of the supplement to the code, 1913, and providing for payment of cost of same from funds provided by section fourteen hundred-t (1400-t) of the supplement to the code, 1913, and pro-

viding for compensation of Committee, was taken up and considered.

Senators Anderson and Newberry offered the following amendment previously filed and moved its adoption:

Amend by striking out the words "soldiers and sailors memorial in form of a building" in lines one and two of the title, and inserting the words "judiciary and library building" in lieu thereof.

By striking out lines "two, three, four and five" in section two thereof and inserting the words "the judiciary and library building" in lieu thereof.

By striking out the word "memorial" in line three of section four thereof, and inserting the words "judiciary and library" in lieu thereof.

By striking out the word "memorial" in line five of section four thereof and inserting the words "judiciary and library" in lieu thereof.

By striking out the word "memorial" in line one of section five thereof, and inserting the words "judiciary and library" in lieu thereof.

#### CALL OF THE SENATE FILED.

We, the undersigned, ask for a call of the Senate in the matter of the vote on Senate File No. 73.

EUGENE SCHAFFTER,  
 J. A. NELSON,  
 H. I. FOSKETT,  
 E. E. MITCHELL,  
 J. L. BROOKHART,  
 H. C. ADAMS,  
 H. C. WHITE,  
 W. T. EVANS,  
 J. M. WILSON,  
 J. K. HALE,  
 C. W. REED,  
 J. A. STEPHENSON,  
 W. J. GREENELL,  
 A. M. PARKER,  
 A. L. RULE.

The Secretary was instructed to call the roll to ascertain which Senators were present.

The roll call showed as follows:

Present, 48.

Adams	Brookhart	Coburn
Anderson	Broxam	Edwards
Arney	Buser	Evans
Balkema	Eyington	Fellows
Ball	Cessna	Foskett

Foster	Mitchell	Scott
Frailey	Nelson	Shane
Greenell	Newberry	Smith
Hale	Parker	Stephenson
Haskell	Pitt	Stoddard
Holdoegel	Price	Taylor
Horchem	Proudfoot	Thompson
Kimball	Rainbow	Van Alstine
Kimberly	Reed	White
Kingland	Rule	Whitmore
Meredith	Schaffter	Wilson

Absent, 2.

LeCompte                      Ratcliff

Senators Ratcliff and LeCompte being absent, the sergeant-at-arms was instructed to secure the attendance of absentees.

Senator LeCompte appeared in the Senate chamber.

Senator Anderson moved that the call be raised.

Senator Anderson withdrew the motion.

On motion of Senator Parker, Senator Ratcliff was excused from the call.

Senator Foster moved the previous question.

The motion was lost.

Senator Kimball invoked rule 8.

On the question, "Shall the amendment proposed by Senators Anderson and Newberry be adopted?" the vote was:

Ayes, 31.

Anderson	Foster	Pitt
Arney	Frailey	Price
Balkema	Greenell	Proudfoot
Ball	Hale	Schaffter
Brookhart	Haskell	Scott
Broxam	Holdoegel	Shane
Buser	Horchem	Smith
Eyington	Meredith	Stephenson
Coburn	Nelson	Stoddard
Evans	Newberry	Thompson
Foskett		

Nays, 13.

Adams	Edwards	Kimball
Cessna	Follows	Kimberly

Kingland  
LeCompte  
Mitchell  
Parker

Rainbow  
Reed  
Rule  
Taylor

Van Alstine  
White  
Whitmore  
Wilson

Absent or not voting, 1.

Ratcliff

The amendments were adopted.

Senator Kimball offered the following amendment and moved its adoption:

I move to amend the bill by adding thereto the following as an additional section, properly numbered:

That the commission shall ascertain the sense and desire of the soldiers and sailors of the World War of 1914 to 1918 in such way as it may determine as to whether the proposed building shall be known as a soldiers' and sailors' memorial and if the sense of the soldiers and sailors be for the memorial, the building contemplated by this bill shall be built as such memorial dedicated to the worthy services and everlasting memory of the soldiers and sailors of the World War, 1914 to 1918.

Senator Proudfoot raised the point of order that the matter referred to in the proposed amendment had been disposed of in the vote on the amendment just adopted, bearing on the same subject.

The point of order was held to be not well taken.

Senator Van Alstine offered the following amendment to the pending amendment:

I move to amend the amendment by making same include "marines".

Senator Price moved the previous question on the amendment only, which motion prevailed and the previous question was ordered.

The amendment to the amendment was adopted.

On the question, "Shall the amendment offered by Senator Kimball be adopted, as amended?" the vote was:

Ayes, 12.

Adams  
Anderson  
Brookhart  
Broxam

Edwards  
Haskell  
Horchem  
Kimball

Kingland  
Rainbow  
Taylor  
Van Alstine



## Nays, 36.

Arney	Greenell	Ratcliff
Balkema	Hale	Reed
Ball	Hoidoegel	Rule
Buser	Kimberly	Schaffter
Byington	LeCompte	Scott
Cessna	Meredith	Shane
Coburn	Nelson	Smith
Evans	Newberry	Stephenson
Fellows	Parker	Stoddard
Foskett	Pitt	White
Foster	Price	Whitmore
Frailey	Proudfoot	Wilson

Absent or not voting, 2.

Mitchell                      Ratcliff

The amendment was lost.

Senator Frailey moved that the call of the Senate be raised.  
The motion prevailed.

Senator Frailey moved that the Senate take a recess until  
1:30 p. m.

The motion prevailed.

## AFTERNOON SESSION.

Senate resumed session at 1:30 p. m., President Moore presiding.

Senate resumed consideration of Senate File No. 73.

Senator Anderson offered the following amendment and moved its adoption:

I move to amend Senate File No. 73 as amended by striking from section two thereof the following:

"The main hall, corridors and such other portions of the building as the building committee shall designate shall be arranged for tablets, medallions, receptacles for flags and place for the preservation of trophies and mementoes of such world event as will carry out the purposes of this section."

The amendment was 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 vote was:

Ayes, 30.

Adams	Fralley	Rainbow
Anderson	Greenell	Ratcliff
Arney	Kimball	Rule
Balkema	Kimberly	Scott
Brookhart	Kingland	Shane
Byington	Meredith	Stoddard
Edwards	Newberry	Taylor
Evans	Parker	Thompson
Fellows	Price	Whitmore
Foskett	Proudfoot	Wilson

Nays, 12.

Ball	Foster	Nelson
Buser	Hale	Pitt
Cessna	Haskell	Reed
Coburn	LeCompte	Stephenson

Absent or not voting, 8.

Broxam	Mitchell	Van Alstine
Holdoegel	Schaffter	White
Horchem	Smith	

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Kimball offered the following amendment to the title and moved its adoption:

I move to amend the title to Senate File No. 73 by inserting after the figures 1913 appearing in the last line the words "and chapter 207 of the laws of the Thirty-seventh General Assembly".

Also by substituting for the words "all judicial" in the third line of the title the words "judicial and other".

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Adams, Senate File No. 317, a bill for an act authorizing the state of Iowa to improve a short stretch of highway, approximately a half mile long, extending through state property along the west shore of Spirit Lake, and approximating the sum of twelve thousand (\$12,000) dollars, or so much thereof as may be necessary for the making of such 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 Adams moved that the rules be suspended, the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 45.

Adams	Frailey	Price
Anderson	Greenell	Proudfoot
Arney	Hale	Rainbow
Balkema	Haskell	Ratcliff
Ball	Holdoegel	Reed
Brookhart	Ho'chem	Rule
Broxam	Kimball	Scott
Buser	Kimberly	Shane
Byington	Kingland	Smith
Coburn	LeCompte	Stoddard
Edwards	Meredith	Thompson
Evans	Mitchell	Van Alstine
Fellows	Newberry	White
Foskett	Parker	Whitmore
Foster	Pitt	Wilson

Nays, none.

Absent or not voting, 5.

Cessna	Schaffter	Taylor
Nelson	Stephenson	

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

#### MOTION TO RECONSIDER CALLED UP.

Senator LeCompte called up the motion filed to reconsider the vote by which Senate File No. 214, relating to the business of plumbing, failed to pass the Senate.

The motion to reconsider prevailed.

Senator Frailey asked and obtained unanimous consent to file a motion to reconsider the vote by which the bill passed to its third reading

The motion to reconsider the vote by which the bill passed to its third reading prevailed.

Senator Frailey offered the following amendment and moved its adoption:

MR. PRESIDENT—I move to amend Senate File No. 214 by striking out all of that portion of said bill following the enacting clause and substituting the following therefor:

SECTION 1. That the law as it appears in Section seven hundred thirty-seven-a (737-a) of the Code Nineteen hundred thirteen, (1913) be amended as follows: between the ";" and the word "including" in line one, insert the following: "having a population of less than six thousand (6000)," and by adding to said Section seven hundred thirty-seven-a (737-a) the following:

SEC. 2. "That all cities having a population of six thousand (6,000) or more, including cities acting under the commission form of government, and special charter cities shall, within ninety (90) days after the taking effect of this act, adopt and enforce ordinances regulating the business of plumbing and prescribing rules and regulations not inconsistent with the provisions of this act for the installation and inspection of plumbing and prescribing the grade of material to be used; also compelling the removal of plumbing hereafter installed in violation of such rules and manner prescribed; and to impose penalties within the limits of section six hundred eighty (680), of the code, 1897, and amendments thereto, for violations of such ordinances.

The state board of health is hereby empowered to make such provisions as may be necessary to establish a code of rules governing the installation of plumbing in the state of Iowa. The Governor of Iowa shall, within sixty days (60) after the passage of this act, appoint a committee of three, two of whom shall have had at least five (5) years experience in the business of plumbing, to meet with and assist the state board of health in drafting a state code for plumbing, specifying the grade of materials to be used, and regulating the installation of same. Said committee shall serve without compensation but shall be paid necessary traveling and hotel expenses. All necessary and incidental expenses in carrying out the provisions of this act shall be paid by the state treasurer from the plumbing inspection fund hereinafter provided, in the manner provided in section one hundred seventy-s (170-s), supplemental supplement to the code, 1915, as amended by chapter 67, acts of the thirty-seventh general assembly, provided, however, that said committee shall receive no compensation except from such funds as may accrue under this act.

The state board of health shall provide and issue to the cities and towns herein specified the necessary blank certificates, or license blanks, on application. All cities and towns herein referred to shall have power to adopt and enforce additional rules governing plumbing, not inconsistent with the state code herein provided for.

SEC. 3. In all cities which have a population of more than six thousand, having sanitary sewer system, or such other methods of sewerage disposal as are enumerated in this act, the council shall by ordinance appoint a board of examiners, consisting of three members, one of whom shall be a practical journeyman plumber, one a member of the local board of health, and one a practical master plumber, two of whom shall constitute a quorum for the transaction of business. Provided, however, that if there is no resident practical journeyman plumber or practical master plumber in such city, the city council shall not be required to appoint a board of examiners, and every such city not having such a board of examiners shall require each person engaged as a master plumber or employing plumber, or journeyman plumber in such city, to have a license or certificate from some examining board within the state, either as a master plumber, journeyman plumber or employing plumber.

The council shall provide suitable rooms in which said board of examiners may hold its meetings, and shall provide for the necessary incidental expenses incurred by said board and may also provide a per diem compensation for the members of said board of examiners not exceeding ten dollars, (\$10) per day for the time actually spent in performing the duties imposed upon said board.

Said board shall, when so directed by the council, and under such rules and regulations as the council shall prescribe, hold examinations of applicants for a certificate, or license, to work, either as a master plumber, journeyman plumber, or employing plumber, and if satisfied as to the competency of the applicant, a certificate, or license, shall be issued to such master plumber, journeyman plumber or employing plumber, and the amount of the fee for such examination shall not exceed ten dollars (\$10) for a master plumber or employing plumber, and shall not exceed five dollars, (\$5) for a journeyman plumber. Fees for renewal for a master plumber or employing plumber's license shall not be more than two dollars, (\$2), and for a journeyman plumber's license shall not be more than one dollar (\$1). Fees for such examination shall be divided as follows: One dollar (\$1) of the examination fee to be returned to the secretary of the state board of health and by him paid to the state treasurer and kept by the treasurer as a separate fund to be known as the plumbing inspection fund, from which the expense incurred by the state board of health and the committee appointed by the Governor as provided in section 2 hereof, shall be paid, and the balance of examination fees to be paid monthly into the city treasury along with renewal fees.

SEC. 4. Such certificates, or license, shall be valid and recognized throughout the state for a period of one year and may be renewed from year to year upon the payment of the renewal fee. Such license shall not be transferable and shall expire on the 31st day of December of each year.

Any such certificate, or license, issued by any such authorized board, may be revoked by said board for repeated violation of ordinances enacted under the provisions of this act.

Sec. 5. Such examining board shall issue a certificate, or license, upon the payment of the regular fee, without examination, to all master plumbers actually engaged in the business of plumbing at the time of the passage of this act, provided application for such license be made within ninety (90) days after taking effect of this act.

Sec. 6. The term "journeyman plumber" as used in this act, shall mean a person who does any plumbing work which is by law, ordinance, rule or regulation, subject to official inspection. The term "master plumber" as used in this act, shall include any person, firm or corporation, other than master plumber, engaged in the business of installing plumbing. The term "plumbing" as used in this act shall mean the installing of any receptacle used to receive waste water, house soil, slops or sewage.

Sec. 7. All acts or parts of acts that are in conflict with this act are hereby repealed.

The amendment was adopted.

Senator Frailey 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 vote was:

Ayes, 29.

Adams	Haskell	Reed
Anderson	Horchem	Schaffter
Arney	Kimball	Scott
Broxam	Kimberly	Shane
Buser	Kingland	Stoddard
Byington	Mitchell	Thompson
Evans	Newberry	White
Frailey	Parker	Whitmore
Greenell	Price	Wilson
Hale	Rainbow	

Nays, 18.

Balkema	Fellows	Proudfoot
Ball	Foskett	Ratcliff
Brookhart	LeCompte	Rule
Cessna	Meredith	Smith
Coburn	Nelson	Stephenson
Edwards	Pitt	Taylor

Absent or not voting, 3.

Foster	Holdoegel	Van Alstine
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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 Proudfoot Senate File No. 458, a bill for an act to amend the law as it appears in section eighteen hundred thirty-nine j (1839-j), supplement to the code, 1913, relating to fraternal beneficiary societies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Proudfoot offered the following amendment previously filed by him and moved its adoption:

Amend Senate File No. 458 by striking out all after the enacting clause and inserting in lieu thereof the following:

"SECTION 1. That the law as it appears in Section Eighteen Hundred Thirty-nine-j (1839-j), Supplement to the Code, 1913, be and the same is hereby amended by inserting after the comma in the sixth line thereof the following:

'including the issuance of term, whole life, or limited payment certificates with withdrawal options,'".

The amendment was adopted.

Senator Proudfoot 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 vote was:

Ayes, 46.

Adams	Greenell	Proudfoot
Anderson	Hale	Rainbow
Arney	Haskell	Ratcliff
Balkema	Holdoegel	Reed
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Buser	Kimberly	Shane
Byington	Kingland	Smith
Coburn	Meredith	Stephenson
Edwards	Mitchell	Stoddard
Evans	Nelson	Thompson
Fellows	Newberry	Van Alstine
Foskett	Parker	White
Foster	Pitt	Whitmore
Fralley	Price	Wilson

Nays, none.

Absent or not voting, 4.

Cessna  
LeCompte

Rule

Taylor

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 Whitmore House File No. 201, a bill for an act providing a penalty for the willful destruction of food products, with report of committee recommending passage, was taken up, and considered.

Senator Balkema offered the following amendment and moved its adoption:

I move to amend section 1 of House File No. 201 by inserting between the words "waste" and "any" in line 3 of section 1 the words "with intent to increase the price thereof".

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 35.

Anderson  
Arney  
Balkema  
Ball  
Brookhart  
Broxam  
Byington  
Cessna  
Edwards  
Evans  
Foskett  
Foster

Fralley  
Greenell  
Holdoegel  
Horchem  
Kimball  
Kimberly  
Meredith  
Newberry  
Parker  
Price  
Proudfcot  
Rainbow

Ratcliff  
Reed  
Rule  
Scott  
Shane  
Smith  
Stepnenson  
Stoddard  
White  
Whitmore  
Wilson

Nays, 14.

Buser  
Coburn  
Fellows  
Hale  
Haskell

Kingland  
LeCompte  
Mitchell  
Nelson  
Pitt

Schaffter  
Taylor  
Thompson  
Van Alstine

Absent or not voting, 1.

Adams



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 Ratcliff, Senate File No. 479, a bill for an act to amend Section One Thousand Three Hundred Four (1304) Supplemental Supplement to the Code, 1915, relating to property exempt from taxation, a committee bill substituted for Senate File No. 472, was taken up and considered.

Senator Ratcliff moved that the rules be suspended, the bill be considered engrossed, and read a thirl time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42.

Adams	Foster	Ratcliff
Anderson	Frailey	Reed
Arney	Greenell	Rule
Balkema	Hale	Schaffter
Ball	Haskell	Scott
Brookhart	Holdoegel	Shane
Broxam	Horchem	Smith
Buser	Kimberly	Stephenson
Byington	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Nelson	Thompson
Evans	Parker	Van Alstine
Fellows	Pitt	Whitmore
Foskett	Rainbow	Wilson

Nays, 2.

Kimball	Kingland
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Absent or not voting, 6.

Cessna	Newberry	Proudfoot
LeCompte	Price	White

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 Buser, Senate File No. 186, a bill for an act to create an Iowa State Board of Engineering Examiners; to provide for the examination and registration of professional engineers and land surveyors; and to fix penalties for the violation of this act, reported out without recommendation, was taken up, and considered.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from line one of section ten the words "one year" and inserting in lieu thereof the words "six months".

The amendment was adopted.

Senator Price offered the following amendment and moved its adoption:

I move to strike out the words "the design and the supervision of mining operations and of processes and apparatus for carrying out such operations," in lines 15 and 17 inclusive, of section 3.

The amendment was adopted.

Senator Wilson offered the following amendments and moved their adoption:

Amend by striking from sub-division "C" of section 7 in line 9 thereof the words "principal or".

Also amend by inserting after the word "Act" in the 12th line of section 10 a comma and the words "or is a graduate of some recognized school of engineering".

The amendments were adopted.

Senator Smith offered the following amendment and moved its adoption:

I move to amend by striking from line 10 of Section 10 the words "in this state".

The amendment was adopted.

Senator Price offered the following amendment and moved its adoption:

I move to strike out the words "highways, roads" in line 8 of section three.

The amendment was adopted.

Senator Buser 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 vote was:

## Ayes, 28.

Adams	Fellows	Nelson
Anderson	Fralley	Parker
Arney	Greenell	Rainbow
Balkema	Haskell	Schaffter
Ball	Horchem	Stephenson
Brcxam	Kimball	Stoddard
Buser	Kimberly	Van Alstine
Byington	Kingland	Whitmore
Edwards	LeCompte	Wilson
Evans		

## Nays, 16.

Cessna	Newberry	Shane
Coburn	Price	Smith
Foskett	Proudfoot	Taylor
Foster	Reed	Thompson
Hale	Rule	White
Meredith		

## Absent or not voting, 6.

Brookhart	Mitchell	Ratcliff
Holdoegel	Pitt	Scott

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

## RESIGNATION OF COMMITTEE CLERK.

March 26, 1919.

*To the President of the Senate:*

I hereby tender my resignation as committee clerk in the Senate.

Respectfully,

MARGARET MALONE.

The resignation was accepted.

## REPORT OF COMMITTEE ON EXAMINATION OF COMMITTEE CLERKS.

MR. PRESIDENT—Miss Johanna Schellin having taken examination as to her qualifications for a position as committee clerk and having satisfied the committee that she possesses the qualifications required, it is, therefore, recommended that she be employed as such clerk and be assigned to Senator Van Alstine in place of Miss Margaret Malone, resigned.

EUGENE SCHAFFTER,  
C. W. REED.

## SENATE FILE NO. 472 WITHDRAWN.

By unanimous consent, on request of Senator Ratcliff, Senate File No. 472 was withdrawn from further consideration.

By unanimous consent Senator Newberry withdrew Senate File No. 368 from further consideration.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 the following bills:

House File No. 234, a bill for an act to amend the law as it appears in section five thousand four hundred and sixty-four (5464) of the code relating to judgments of the supreme court in criminal cases.

Also:

House File No. 103, a bill for an act to amend section twenty-seven hundred ninety-four-a (2794-a), supplemental supplement to the code, 1915, relating to the school taxes levied for general fund.

Also:

House File No. 165, a bill for an act to amend the law as it appears in paragraph three (3), section thirteen hundred and four (1304) of the code, relating to the assessment of taxes.

Also:

House File No. 88, a bill for an act conferring upon cities and towns the authority to adopt a budget system.

Also:

House File No. 196, a bill for an act to amend section two thousand seven hundred ninety-three (2793) of the Supplement to the Code, 1913, relating to the changing of boundary lines of contiguous school corporations.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 65, a bill for an act to repeal Section six hundred seventy-four (674), Supplement to the Code, 1913, and enacting a substitute therefor, relating to the compensation of city and town assessors.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 65, a bill for an act to repeal Section six hundred seventy-four (674), Supplement to the Code, 1913, and enacting a substitute therefor, relating to the compensation of city and town assessors.

EUGENE SCHAFFTER,

*Chairman Senate Committee.*

WILL L. KING,

*Chairman House Committee.*

Adopted.

#### HOUSE FILE NO. 318 RECALLED.

Senator Byington asked and obtained unanimous consent to recall from the House, House File No. 318.

#### AMENDMENTS FILED.

Senator Arney filed the following amendment and asked that it be printed in the journal:

Amend Senate File No. 371 by striking out Sections 5, 6, 7 and 8.

#### BILLS SIGNED BY THE PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate File No. 65.

#### SPECIAL ORDER.

Senator Kimball moved that Senate File No. 478 be made a special order for Tuesday, April 1st, at 10:00 a. m.

Senator Frailey raised the point of order that the discussion was not on the motion under consideration.

The president held the point of order well taken.

Senator Holdoegel moved to amend the pending motion by making the time of special order 10:00 a. m. on April 3d.

Senator Price moved the previous question on all pending motions, which motion prevailed and the previous question was ordered.

On the question, "Shall the amendment offered by Senator Holdoegel be adopted?" the vote was:

Ayes, 12.

Anderson	Brookhart	Haskell
Arney	Evans	Holdoegel
Balkema	Fellows	Schaffter
Ball	Hale	White

Nays, 29.

Broxam	Kimberly	Rule
Buser	LeCompte	Smith
Byington	Nelson	Stephenson
Cessna	Newberry	Stoddard
Coburn	Pitt	Taylor
Edwards	Price	Thompson
Foskett	Proudfoot	Van Alstine
Frailey	Rainbow	Whitmore
Greenell	Ratliff	Wilson
Kimball	Reed	

Absent or not voting, 9.

Adams	Kingland	Scott
Foster	Mitchell	Share
Horchem	Parker	Van Alstine

The amendment was lost.

The motion of Senator Kimball prevailed and Senate File No. 478 was made a special order for Tuesday, April 1st, at 10:00 a. m.

#### REPORTS OF COMMITTEES.

Senator Edwards, from the committee on county and township affairs, submitted the following report:

MR. PRESIDENT—Your committee on county and township affairs, to whom was referred Senate File No. 474, a bill for an act requiring the Board of Supervisors to locate a highway extending from any highway located in a city and returning to the same by the same or different way,

beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs, to whom was referred Senate File No. 460, a bill for an act to amend section four hundred seventeen (417) of the code, 1897, relating to the formation of supervisor districts and election of supervisors, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs, to whom was referred House File No. 268, a bill for an act to amend section 2242 of the supplement to the code, 1913, relating to the management of the county home or county farm and providing for the publication of a financial statement by the board of supervisors relating to such county farm or county home, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs, to whom was referred Senate File No. 354, a bill for an act to amend section 576, supplement to the code, 1913, relating to the duties of township clerks and the deposit of public funds collected by them, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs, to whom was referred House File No. 350, a bill for an act to amend section 2309 of the code, relating to the compensation of commissioners of insanity, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BEN EDWARDS, *Chairman.*

On motion of Senator Edwards, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on county and township affairs, to whom was referred Senate File No. 146, a bill for an act to amend Sections 515, 516, and 531 of the Code, 1897, and relating to the duties of coroner and providing for the certification of bills of expense incurred in performing the duties of coroner and providing for the expense of additional services of coroner, coroner's jury, witnesses, coroner's stenographer and constable and making it illegal for any person, other than the coroner to perform his duties and providing for allowing the coroner to issue a reward for the recovery of the bodies of persons drowned, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BEN EDWARDS, *Chairman.*

On motion of Senator Edwards, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on county and township affairs, to whom was referred House File No. 89, a bill for an act to repeal Section 4597, Code, and to enact a substitute therefor relating to fees of Justices of the Peace, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BEN EDWARDS, *Chairman.*

On motion of Senator Edwards, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on county and township affairs, to whom was referred Senate File No. 362, a bill for an act to authorize the payment of clerks heretofore employed by jury commissions, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BEN EDWARDS, *Chairman.*

On motion of Senator Edwards, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on county and township affairs, to whom was referred Senate File No. 259, a bill for an act to repeal section 2241 supplement to



the code, 1913, and enacting a substitute in lieu thereof, providing for the establishment of a county home and changing the name of Poor Houses and providing a fund to be known as the County Home fund, and providing for the levy and collection of taxes therefor. Also amending section 2247 supplement to the code, 1913, relating to the expense of supporting the poor, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BEN EDWARDS, *Chairman*.

On motion of Senator Edwards, the report of the committee was adopted and the bill indefinitely postponed.

Senator Meredith, from the committee on public lands, submitted the following report:

MR. PRESIDENT—Your committee on public lands, to whom was referred House File No. 479, a bill for an act authorizing The Governor of the State of Iowa to issue patent conveying to Joseph B. Hill, the following described lands situated and lying in Greene County, State of Iowa, to wit: The Southeast Quarter (SE $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Seventeen (17), Township Eighty-five (85) North Range Thirty (30), West of the Fifth (5th) Principal Meridian and containing forty (40) acres, more or less, according to the government survey, beg leave to report they have had the same under consideration and recommend the same do pass.

DAVID MEREDITH, *Chairman*.

Ordered passed on file.

Senator Coburn, from the committee on agriculture, submitted the following report:

MR. PRESIDENT—Your committee on agriculture, to whom was referred Senate File No. 212, a bill for an act to amend Section Two-thousand five-hundred thirty-eight w three (2538-w3) and Section Two-thousand five-hundred thirty-eight-w seven (2538-w7) of the Supplement to the Code, 1913, in regard to the manufacture and distribution of hog cholera serum, 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:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. That Section Twenty-five hundred thirty-eight-w3 (2538-w3) of the Supplemental Supplement to the Code, 1915, be and the same is hereby repealed and the following is enacted in lieu thereof:

The Commission of Animal Health shall have the power to make such rules and regulations governing the manufacture of serum and other biological products for use on domestic animals in laboratories located within

the state and doing an intra-state business, as it deems necessary to maintain the potency and purity of their products.

It shall have the right and it shall be their duty through a duly appointed inspector to make such inspection of commercial plants and of all distributing agencies representing serum manufacturers located outside of the state doing business under a state permit as will insure a full compliance with the rules and regulations made to govern same. A person, firm, company or corporation, before selling or offering for sale within this state any anti-hog-cholera serum shall first make application to the Commission of Animal Health for permission to sell the same in the state.

Said application shall give the name of said person, firm, company or corporation with its place or places of business. Such other information and samples of serum and other biological products shall be furnished whenever required by the Commission of Animal Health.

If the Commission of Animal Health is satisfied that said person, firm, company or corporation is fit, proper and reliable, they shall issue to said person, firm, company or corporation a permit to sell said serum within the state for a period of one calendar year or part thereof, for which permit they shall collect the sum of Fifteen (\$15.00) dollars which money shall be deposited in the state treasury for the use of the Commission of Animal Health. Said permit may at any time be cancelled or suspended by said Commission of Animal Health when it becomes evident to them that the terms on which it was issued are being violated. No anti-hog-cholera serum or other biological products shall be sold or offered for sale or use or be used in this state which have not been produced at a plant holding a valid United States Government license for the manufacture and sale of anti-hog-cholera serum and biological products at the time said anti-hog-cholera serum and other biological products were made.

A permit shall be granted a distributing agency for the distribution of anti-hog-cholera serum and hog-cholera virus by the Commission of Animal Health on the same terms and subject to the same provisions as govern the granting of original permits.

SEC. 2. That Section Twenty-five hundred thirty-eight-w4 (2538-w4) Supplement to the Code, 1913, and Section Twenty-five hundred thirty-eight-w5 (2538-w5) of the Supplemental Supplement to the Code, 1915, be and the same is hereby repealed, and the following enacted in lieu thereof:

No person, firm, company or corporation shall distribute or sell any portion of virulent blood or virus from cholera-infected hogs except to holders of permits to use the same and shall report in writing to the Commission of Animal Health and under such regulations as they may issue.

And no person shall use any portion of virulent blood or virus from cholera-infected hogs unless he has received special instructions in reference to such use of such virulent blood or virus which is satisfactory to

the Commission of Animal Health and said Commission has issued a permit to such person, which permit shall be issued by such Commission of Animal Health to any person showing by examination or otherwise, under such rules as the Commission may adopt that he has received instruction in the use of such virus as to make him qualified to safely use the same, and such permit shall be cancelled by said commission for cause which said commission may deem sufficient; but all virulent blood or virus used by such persons shall be reported to the Commission of Animal Health in such manners as they may require. Any person, firm, company or corporation violating the terms herein stated shall be punished the same as provided for in Section four (4) of this Act.

SEC. 3. That Section Twenty-five hundred thirty-eight-w6 (2538-w6) of the Supplement to the Code, 1913, be and the same is hereby repealed and the following enacted in lieu thereof:

The Commission of Animal Health or their duly qualified deputies or assistants are hereby authorized to seize for examination, samples of any serum and other biological products and virus used and kept for use or for sale within this state, at any time or at any place, under the police regulations in force in this state. The Commission of Animal Health shall have power to condemn or destroy any serum or virus which they deem to be unsafe.

SEC. 4. That Section Twenty-five hundred thirty-eight-w7 (2538-w7) of the Supplement to the Code, 1913, be and the same is hereby repealed and the following is enacted in lieu thereof:

Violation—Penalty: After the taking effect of this act any person, firm, company or corporation offering or keeping for sale in this state any anti-hog-cholera serum or other biological products or virus in violation of the provisions of this act, or offering or keeping for sale any anti-hog-cholera serum and other biological products which are impotent, contaminated or harmful, shall be fined in a sum of not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars.

In default of the payment of such fine the individual, or, if it be a company, firm or corporation offending, the managing agent or executive officer of such firm, company or corporation within the state, shall be imprisoned in the county jail not less than thirty days nor more than one hundred and fifty (150) days.

SEC. 5. That Section Twenty-five hundred thirty-eight-w8 (2538-w8) Supplemental Supplement to the Code, 1915, be and the same is hereby repealed, and the following is enacted in lieu thereof:

After the taking effect of this act any person, firm, company or corporation wilfully using or keeping for use in this state any anti-hog-cholera serum and other biological products other than those manufactured at the State Laboratory or a plant operating under valid United States Veterinary License or those sold by a holder of a valid permit issued by the Commission of Animal Health or removing, defacing, or concealing the labels of the bottles or packages of any anti-hog-cholera

serum or virus or changing the contents from the original container except for immediate use shall be punished as provided for in Section Four (4) of this Act.

SEC. 6. That Section Twenty-five hundred thirty-eight-w9 (2538-w9) and Section Twenty-five hundred thirty-eight-w10 (2538-w10) and Section Twenty-five hundred thirty-eight-w11 (2538-w11) and Section Twenty-five hundred thirty-eight-w12 (2538-w12) of the Supplement to the Code, 1913, be and the same are hereby repealed and the following is enacted in lieu thereof:

No part of this act shall apply to the manufacture of anti-hog-cholera serum in the State Biological Laboratory or by the United States Department of Agriculture.

And further amend by striking out the title and inserting the following in lieu thereof:

A bill for an act to repeal Sections Twenty-five hundred thirty-eight-w3 (2538-w3) Supplemental Supplement to the Code, 1915, Twenty-five hundred thirty-eight-w4 (2538-w4) Supplement to the Code, 1913, Twenty-five hundred thirty-eight-w5 (2538-w5) of the Supplemental Supplement to the Code, 1915, and Sections Twenty-five hundred thirty-eight-w6 (2538-w6), Twenty-five hundred thirty-eight-w7 (2538-w7) of the Supplement to the Code, 1913, and Sections Twenty-five hundred and thirty-eight-w8 (2538-w8) and Twenty-five hundred thirty-eight-w12 (2538-w12) of the Supplemental Supplement to the Code, 1915, and Sections Twenty-five hundred thirty-eight-w9 (2538-w9), Twenty-five hundred thirty-eight-w10 (2538-w10) and Twenty-five hundred thirty-eight-w11 (2538-w11) of the Supplement to the Code, 1913, and to enact substitutes therefor regulating and licensing the manufacture, sale and use of Anti-hog-cholera serum and Hog-cholera virus and providing penalties for violation of the provisions of this act.

GEO. F. COBURN, *Chairman*.

Ordered passed on file.

Senator Broxam, from the committee on pharmacy, submitted the following report:

MR. PRESIDENT—Your committee on pharmacy, to whom was referred House File No. 361, a bill for an act to amend Section Twenty-five hundred eighty-nine-b (2589-b) supplement to the code, 1913, relating to the fee to be paid by the holder of a foreign certificate of registration as a pharmacist when issued a certificate in this state, beg leave to report they have had the same under consideration and recommend the same do pass.

A. L. BROXAM, *Chairman*.

Ordered passed on file.

Also:

Your committee on pharmacy, to whom was referred House File No. 497, a bill for an act to amend section twenty-five hundred eighty five (2585) supplement to the code, 1913, relating to the traveling expenses of the secretary and treasurer of the commission of pharmacy, beg leave to report they have had the same under consideration and recommend the same do pass.

A. L. BROXAM, *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 returns herewith as requested House File No. 318.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 330, a bill for an act to legalize certain Warrants of the City of Burlington, Iowa, and the issuance and sale of Negotiable Bonds Funding said Warrants.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 287, a bill for an act to amend section two thousand seven hundred twenty-seven three a (2727-3a) of the Supplement to the Code, 1913, providing for the salary of the Superintendent of the Iowa School for the Deaf.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 224, a bill for an act to legalize deed of Wayne County, Iowa, to Ben Gilkerson for Lots One (1) and Two (2) in Young's Second Addition to the town of Seymour, Iowa, as shown by plat recorded in Book II, Page 152, land deed records of the office of the recorder of Wayne

County, Iowa, the same being Lots One (1) and Two (2) in Block One (1) in Young's Second Addition to the town of Seymour, Iowa.

#### HOUSE AMENDMENT.

Amend by striking from section two, line two, the words ", if any".

W. C. RAMSAY, *Chief Clerk.*

#### Also:

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. 475, a bill for an act in relation to the housing of the people in cities of the first class and special charter cities and cities under commission form of government, to promote the health, safety and welfare of the people by regulating the light and ventilation, sanitation, fire protection, maintenance, alteration and improvement of dwellings; to define the classes of dwellings affected by the act, to establish administrative requirements to establish remedies and fix penalties for the violation thereof; also providing that all other cities and incorporated towns may adopt ordinances for the regulation and control of any or all of such matters and fix penalties for the violation thereof; also providing that the State Board of Health may apply and enforce the provisions of this act in mining camps.

#### HOUSE AMENDMENTS.

Amend Senate File No. 475 as follows:

1. By inserting the word "not" between the words "if" and "occupied" in line ninety-three (93) of Section two (2).
2. On page ten of section five (5), line six (6), by substituting the word "rebuild" for the word "rebuilt".
3. Page thirty-one, section sixty-seven (67), in line eight (8), inserting a period (.) after the word "apartment" and write the ensuing word "where" with a capital "W".
4. And in line nine of said section sixty-seven (67) strike out the word "and" between the words "available" and "the".
5. On page forty-one, section ninety-two (92), line one (1), substitute the word "Commence" for the word "Commerce".
6. On page forty-three, section ninety-two (92), line forty-seven (47), substitute the word "thereof" for the word "thereon".
7. On page forty-three, section ninety-three (93), lines one and two (1 and 2), strike out "no building heretofore" and substitute therefor; "no part of a building hereafter".

8. On page forty-four, section ninety-five (95), lines six and seven (6 and 7), strike out that part of same reading: ", and each day that such violation continues shall constitute a separate offense".

9. On page forty-four, section ninety-five (95), line ten (10), insert the word "exists" after the word "defined".

10. By striking out the word "one" in line one hundred sixteen (116) in section two (2) and insert the word "two" in lieu thereof.

11. By striking out the word "such" in line eleven (11), section sixty-seven (67).

12. By inserting the words "used for living purposes" after the word "room" in line five (5) of section twenty-three (23).

W. C. RAMSAY, *Chief Clerk.*

Also:

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

Senate concurrent resolution relative to the transfer of funds for support of state institutions.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 283, a bill for an act relating to the establishment of a free public library and soldiers' memorial and providing that cities and towns having established a free public library may unite with the board of supervisors for the erection and maintenance of a soldiers' memorial and public library and providing for the appointment of trustees for such memorial and public library, and providing their powers and duties and authorizing the levy of taxes for the erection and maintenance of such memorial and library.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 419, a bill for an act to amend section ten hundred and nine (1009), Code, relating to the issuance of warrants in special chartered cities.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 325, a bill for an act to authorize the executive council to contract for and cause to be installed an electrical and mechanical system for registration of votes of members of the assembly.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 494, a bill for an act to amend chapter thirteen-b (13-b), Title V, supplement to the code, 1913, relating to pensions for disabled and retired policemen.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 419, a bill for an act to amend section ten hundred and nine (1009), Code, relating to the issuance of warrants in special chartered cities.

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

House File No. 325, a bill for an act to authorize the executive council to contract for and cause to be installed an electrical and mechanical system for registration of votes of members of the assembly.

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

House File No. 494, a bill for an act to amend chapter thirteen-b (13-b), Title V, supplement to the code, 1913, relating to pensions for disabled and retired policemen.

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

House File No. 283, a bill for an act relating to the establishment of a free public library and soldiers' memorial and providing that cities and towns having established a free public library may



unite with the board of supervisors for the erection and maintenance of a soldiers' memorial and public library and providing for the appointment of trustees for such memorial and public library, and providing their powers and duties and authorizing the levy of taxes for the erection and maintenance of such memorial and library.

Read first and second time and referred to committee on public buildings.

#### MOTIONS TO RECONSIDER.

I move to reconsider the vote by which the report of the committee on county and township affairs on Senate File No. 259 was adopted by the Senate.

J. M. WILSON.

MR. PRESIDENT—I move to reconsider the vote by which House File No. 318 passed the Senate and also the vote by which the bill passed to its third reading.

O. A. BYINGTON.

I move to reconsider the vote by which Senate File No. 186 passed the Senate.

H. S. VAN ALSTINE.

#### SPECIAL ORDER.

By unanimous consent, on request of Senator Frailey, Senate File No. 322 was made a special order for Wednesday, April 2nd, at 10:00 a. m.

On motion of Senator Price, Senate adjourned until 9:00 a. m. Thursday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 27, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. Walter J. Stewart, pastor of the United Presbyterian church of Winterset.

## PETITIONS AND MEMORIALS.

Senator Nelson presented a remonstrance of citizens of Cass county against hard roads.

Referred to committee on highways.

Senator Smith presented a remonstrance of citizens of Madison county against House File No. 6 as amended.

Referred to committee on schools.

## MOTION TO RECONSIDER CALLED UP.

Senator Wilson called up his motion filed to reconsider the vote by which the committee report was adopted, indefinitely postponing Senate File No. 259.

On the question, "Shall the vote be reconsidered?" the vote was:

Ayes, 30.

Anderson	Greenell	Rainbow
Arney	Hale	Rule
Brookhart	Horchem	Scott
Buser	Kimball	Smith
Cessna	Kingland	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Nelson	Taylor
Evans	Newberry	Thompson
Fellows	Price	White
Frailey	Proudfoot	Wilson

Nays, none.

Absent or not voting, 20.

Adams	Haskell	Ratcliff
Balkema	Holdoegel	Reed
Ball	Kimberly	Shaffter
Broxam	LeCompte	Shane
Byington	Meredith	Van Alstine
Foskett	Parker	Whitmore
Foster	Pitt	

The motion to reconsider prevailed and the bill was ordered placed on the calendar.

#### HOUSE AMENDMENTS CONCURRED IN.

Senator Thompson called up Senate File No. 205, amended by the House, and moved that the Senate concur in the following House amendments:

Amend the title by striking from line one (1) the words "manufacture for".

Amend by striking from line two (2) in Section one (1) thereof the word "manufacture,".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 33.

Anderson	Holdoegel	Reed
Ball	Horchem	Rule
Brookhart	Kimball	Shaffter
Buser	Kingland	Scott
Coburn	Meredith	Smith
Edwards	Mitchell	Stephenson
Evans	Nelson	Stoddard
Fellows	Newberry	Thompson
Frailey	Proudfoot	White
Greenell	Rainbow	Whitmore
Hale	Ratcliff	Wilson

Nays, none.

Absent or not voting, 17.

Adams	Foskett	Pitt
Arney	Foster	Price
Balkema	Haskell	Shane
Broxam	Kimberly	Taylor
Byington	LeCompte	Van Alstine
Cessna	Parker	

The House amendments having received a constitutional majority were declared to have been concurred in by the Senate.

## HOUSE AMENDMENT CONCURRED IN.

Senator Whitmore called up Senate File No. 475, amended by the House, and moved that the Senate concur in the following House amendments:

Amend Senate File No. 475 as follows:

1. By inserting the word "not" between the words "if" and "occupied" in line ninety-three (93) of section two (2).
2. On page ten in section five (5), line six (6), by substituting the word "rebuild" for the word "rebuilt".
3. Page thirty-one, section sixty-seven, in line eight (8), inserting a period (.) after the word "apartment" and write the ensuing word "where" with a capital "W".
4. And in line nine of said section sixty-seven (67) strike out the word "and" between the words "available" and "the".
5. On page forty-one, section ninety-two (92), line one (1), substitute the word "Commence" for the word "Commerce".
6. On page forty-three, section ninety-two (92), line forty-seven (47), substitute the word "thereof" for the word "thereon".
7. On page forty-three, section ninety-three (93), lines one and two (1 and 2), strike out "no building heretofore" and substitute therefor: "no part of a building hereafter".
8. On page forty-four, section ninety-five (95), lines six and seven (6 and 7), strike out that part of same reading: ", and each day that such violation continues shall constitute a separate offence."
9. On page forty-four, section ninety-five (95), line ten (10), insert the word "exists" after the word "defined".
10. By striking out the word "one" in line one hundred sixteen (116) of section two (2) and insert the word "two" in lieu thereof.
11. By striking out the word "such" in line eleven (11), section sixty-seven (67).
12. By inserting the words "used for living purposes" after the word "room" in line five (5) of section twenty-three (23).

On the question, "Shall the Senate concur?" the vote was:

Ayes, 36.

Anderson  
Arney  
Balkema  
Ball  
Brookhart  
Buser  
Cessna

Coburn  
Edwards  
Evans  
Fellows  
Foster  
Fralley  
Holdoegel

Horchem  
Kimball  
Kingland  
Mitchell  
Nelson  
Newberry  
Price

Proudfoot	Schaffter	Stoddard
Rainbow	Scott	Taylor
Ratcliff	Shane	Thompson
Reed	Smith	Whitmore
Rule	Stephenson	Wilson

Nays, none.

Absent or not voting, 14.

Adams	Hale	Parker
Broxam	Haskell	Pitt
Byington	Kimberly	Van Alstine
Foskett	LeCompte	White
Greenell	Meredith	

The House amendments having received a constitutional majority were declared to have been concurred in by the Senate.

#### INTRODUCTION OF BILLS.

By committee on public utilities, Senate File No. 488, a bill for an act providing for an appeal to the Board of Railroad Commissioners of the State of Iowa from the action of any city or town in respect to rates or charges to be made for water, gas, heat, electric light or power, and authorizing the said Board to prescribe rules and regulations for the hearing and determination of said appeals.

Read first and second time.

Objection was made by Senator Frailey to the introduction of S. F. 488 by the committee on public utilities. Senator Frailey stated as his objection that owing to the withdrawal of S. F. 365 the subject matter contained in S. F. 488, just introduced, could not again be considered at this session.

Upon this question the president of the Senate reserved his ruling until such a time as he could read and compare the subject matter of Senate Files 365 and 488.

Senator Price moved that no further action be taken with reference to Senate File 488 until printed copies of this bill were in the possession of the Senate.

Upon this question point of order was raised by Senator Whit-

more that such motion was not in order until a ruling had been made on the objection raised by Senator Frailey.

Point of order sustained.

The president announced further consideration of the matter would be withheld until such a time as his ruling was made on the objection raised by Senator Frailey.

By committee on insurance, Senate File No. 489, a bill for an act to amend the law as it appears in Section 4, Chapter 428, Acts of the 37th General Assembly of Iowa, and Section 5, Chapter 428, Acts of the 37th General Assembly of Iowa, and Section 2, Chapter 412, Acts of the 37th General Assembly of Iowa, and Section 1744, Supplement to the Code, 1913, and Section 1745, Supplement to the Code, 1913, and Section 1783-a, Supplement to the Code, 1913, and Section 1783-d, Supplement to the Code, 1913, and Section 1783-e, Supplement to the Code, 1913, and Section 1790 of the Code, and Section 1813 of the Code, also to repeal the law as it appears in sub-division 1, Section 1709, Supplement to the Code, 1913, as amended by Section 1, Chapter 428, Acts of the 37th General Assembly of Iowa, and to enact a substitute therefor; also to enact a law regulating the investments of the assets of insurance companies and associations, and to provide for the compensation of special insurance examiners; all relating to and providing for certain regulations of all kinds of insurance companies authorized to transact business in the state of Iowa.

Read first and second time and ordered passed on file.

By committee on insurance, Senate File No. 490, a bill for an act defining group life insurance, authorizing Chapter Six (6), life insurance companies to issue contracts providing for such group life insurance, fixing the terms under which such group life insurance can be written, prescribing certain provisions and conditions to be embodied in such life insurance contract, and waiving the medical examination required by section seventeen hundred eighty-three-b (1783-b), Supplement to the Code, 1913, in all cases of such group life insurance.

Read first and second time and ordered passed on file.

By committee on insurance, Senate File No. 491, a bill for an act to amend the law as it appears in section 1824 of the Code, re-

lating to fraternal beneficiary societies, and providing who may be beneficiaries under certificates issued by such societies.

Read first and second time and ordered passed on file.

By committee on insurance, Senate File No. 492, a bill for an act to amend the law as it appears in section eighteen hundred twenty-two (1822), Supplement to the Code, 1913, relating to the matter of fraternal beneficiary societies, orders and associations.

Read first and second time and ordered passed on file.

By committee on departmental affairs, Senate File No. 493, a bill for an act to repeal sections five thousand seven hundred eighteen-a-fourteen (5718-a14), five thousand seven hundred eighteen-a-fifteen (5718-a15), five thousand seven hundred eighteen-a-16 (5718-a16), five thousand seven hundred eighteen-a-seventeen (5718-a17), five thousand seven hundred eighteen-a-eighteen (5718-a18), five thousand seven hundred eighteen-a-nineteen (5718-a19), five thousand seven hundred eighteen-a-twenty (5718-a20), five thousand seven hundred eighteen-a-twenty-one (5718-a-21), five thousand seven hundred eighteen-a-twenty-two (5718-a22), five thousand seven hundred-eighteen-a-twenty-three (5718-a23), five thousand seven hundred eighteen-a-twenty-four (5718-a24), five thousand seven hundred eighteen-a-twenty-five (5718-a25), five thousand seven hundred eighteen-a-twenty-six (5718-a26), Supplement to the Code, 1913, and enact substitutes therefor, and abolishing the board of parole and transferring its jurisdiction, powers,, duties, records, and secretary to the board of control and authorizing the board of control to employ necessary help to perform such duties and making appropriation to pay the necessary expense for the performance of such duties.

Read first and second time and ordered passed on file.

#### LEAVE OF ABSENCE.

On request of Senator Schaffter leave of absence was granted Senator Parker for the day.

On request of Senator Buser, Senator Byington was excused for the day.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter from the committee on enrolled bills submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 26th day of March, 1919, sent to the governor for his approval, Senate File No. 65, a bill for an act to repeal Section six hundred seventy-four (674), Supplement to the Code, 1913, and enacting a substitute therefor, relating to the compensation of city and town assessors.

EUGENE SCHAFFER, *Chairman.*

Adopted.

#### REPORTS OF COMMITTEES.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred Senate File No. 313, a bill for an act to promote welfare of the state and the interests of the school teachers of Iowa by creating a teachers Welfare Fund out of which the teachers of Iowa who come within the provisions of this act may be paid a stipulated sum upon their retirement from the teaching profession, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BYRON W. NEWBERRY, *Chairman.*

Senator Balkema moved that the bill be referred to the committee on appropriations.

Senator Kingland raised the point of order that the motion was out of order, until the committee report was disposed of.

The president held the point of order not well taken.

The motion to refer to committee on appropriations prevailed.

Senator Shane, 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. 249, a bill for an act to amend Section fifty-six hundred twenty-six (5626), Supplement to the Code, 1913, relating to pardons and remission of fines and forfeitures by the governor, beg leave to report they have had the same under consideration and recommend the same do pass.

F. E. SHANE, *Chairman.*

Ordered passed on file.

Senator Edwards, from the committee on county and township affairs, submitted the following report:

MR. PRESIDENT—Your committee on county and township affairs, to whom was referred Senate File No. 308, a bill for an act to repeal section 298, supplemental supplement to the code, 1915, as amended by chapter



77, of the Acts of the thirty-seventh General Assembly and section 481, supplemental supplement to the code, 1915, as amended by chapter 77 of the acts of the thirty-seventh general assembly; and section 491, supplemental supplement to the code, 1915, as amended by chapter 77, of the acts of the thirty-seventh general assembly; and section 496, supplement to the code, 1913, as amended by chapter 77 of the acts of the thirty-seventh general assembly; and section 510-b, supplemental supplement to the code, 1915, and enacting substitutes therefor, relating to the appointment and compensation of deputy county officers, 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:

Amend Sections 1, 2, 3 and 4, by striking out the words "sixty-five per cent" wherever they occur, and substituting in lieu thereof the words "not less than fifty per cent that of his principal, nor more than fifteen hundred dollars per year, to be fixed by the board of supervisors."

Amend section 5 by striking out the words "seventy-five per cent" and substituting in lieu thereof the words "not less than sixty per cent that of his principal, nor more than fifteen hundred dollars per year, to be fixed by the board of supervisors."

That in Section 2 and Section 3, the last four lines of each Section be stricken out.

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Senator Whitmore, from the committee on elections, submitted the following report:

MR. PRESIDENT—Your committee on elections, to whom was referred Senate File No. 406, a bill for an act fixing the minimum amount any candidate for office under the constitution or laws of this state or under the ordinances of any city or town may expend for his nomination and election, and providing penalties for the violation of this act, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

CHESTER W. WHITMORE, *Chairman*.

On the question, "Shall the report of the committee be adopted?" the vote was:

Ayes, 28.

Arney	Hale	Rule
Balkema	Haskell	Schaffter
Ball	Horchem	Shane
Buser	LeCompte	Smith
Cessna	Pitt	Stephenson
Coburn	Price	Stoddard
Edwards	Proudfoot	Taylor
Fellows	Rainbow	Thompson
Foster	Reed	Wilson
Fralley		

## Nays, 7.

Anderson  
Kimberly  
Kingland

Meredith  
Nelson

White  
Whitmore

## Absent or not voting, 15.

Adams  
Brookhart  
Broxam  
Byington  
Evans

Foskett  
Greenell  
Holdoegel  
Kimball  
Mitchell

Newberry  
Parker  
Ratcliff  
Scott  
Van Alstine

The report was adopted and the bill indefinitely postponed.

## Also:

Your committee on elections, to whom was referred House File No. 470, a bill for an act to amend the law as it appears in Section one thousand seventy-six of Chapter Two, of the Supplemental Supplement to the Code, 1915, by providing for the consolidation of voting precincts into registration districts in all cities in which registration is required, including cities under special charter, at any general, city or special election and providing a method of such consolidation, beg leave to report they have had the same under consideration and recommend the same do pass.

CHESTER W. WHITMORR, *Chairman.*

Ordered passed on file.

## Also:

Your committee on elections, to whom was referred Senate File No. 431, a bill for an act to amend the law as it appears in Chapter five (5), Title six (VI) of the Code, relating to the election of presidential electors and to amend Section eleven hundred and seventy-three (1173), Supplement to the Code, 1913, and to provide that the right to vote for presidential electors shall not be abridged on account of sex, beg leave to report they have had the same under consideration and report the same back to the Senate without recommendation.

CHESTER W. WHITMORE, *Chairman.*

Ordered passed on file.

## Also:

Your committee on elections, to whom was referred Senate File No. 246, a bill for an act to amend the law as it appears in sections eleven hundred ninety-eight (1198), eleven hundred ninety-nine (1199), twelve hundred five (1205), twelve hundred twenty (1220), twelve hundred twenty-eight (1228) and twelve hundred thirty-two (1232) of the Code, relat-

ing to contesting elections and making the provisions for contest applicable to the vote upon constitutional amendments and other public measures, 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:

By striking out provision two (2) and inserting in lieu thereof the following:

"A failure to enjoin upon each voter to return such ballot, whether voted or not."

CHESTER W. WHITMORE, *Chairman*.

Ordered passed on file.

Senator Frailey, from the committee on insurance, submitted the following report:

MR. PRESIDENT—Your committee on insurance, to whom was referred Senate File No. 387, a bill for an act to amend the law as it appears in sub-division 1 of section 1709 Supplement to the Code, 1913, relating to insurance other than life, beg leave to report they have had the same under consideration and recommend the same do pass.

J. R. FRAILEY, *Chairman*.

Ordered passed on file.

Also:

Your committee on insurance, to whom was referred Senate File No. 81, a bill for an act to amend section 1821-1, Supplement to the Code, 1913, relating to examination of insurance companies, 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:

By striking out all after the enacting clause and substituting in lieu thereof the following:

SECTION 1. That the law as it appears in Section eighteen hundred twenty-one-1 (1821-1), Supplement to the Code, 1913, be and the same is hereby amended by adding after the words "mutuals" in line four, the words "which may be examined at the discretion of the Commissioner of Insurance, and shall be examined upon the written request of the President and Secretary, or upon the written request of ten members of any such county mutual".

J. R. FRAILEY, *Chairman*.

Ordered passed on file.

Senator Proudfoot, from the committee on judiciary No. 2, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 2, to whom was referred House File No. 414, a bill for an act to amend the law as it appears

in Section 1989-a9 supplement to the Code, 1913, as amended by Chapter 264 of the Acts of the 37th General Assembly, by providing for keeping a record of holders of drainage warrants, and for notifying such holders by the county treasurer of funds with which to pay such warrants, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred House File No. 458, a bill for an act to legalize action of the Board of Supervisors of Louisa County, Iowa, in purchasing pumping machinery and equipment in levee district number eight and levee district number eleven in said county, and to legalize the levy of taxes therein, and the issuance of bonds, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 251, a bill for an act to repeal the law as it appears in Section 5256 of the Supplement to the Code, 1913, and to enact a substitute therefor, relating to the appointment of clerks of the grand jury, and fixing salary thereof, beg leave to report they have had the same under consideration and return the same herewith without recommendation.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 299, a bill for an act to repeal the law as it appears in Section 2992 of the Code, and to enact a substitute therefor giving the landlord a lien upon the crops and personal property of the tenant, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File

No. 444, a bill for an act amending Sections 1131 and 2747 of the Code, 1897, relating to school elections and granting the right of suffrage at such elections to women, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 410, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants of the town of Panora, in Guthrie County, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 384, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants for the town of Adel, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 162, a bill for an act to amend the law as it appears in Section 2905 of the Code, and to repeal Section 2906 of the Code, enacting a substitute therefor, relative to the filing of chattel mortgages, bills of sale or other instruments affecting the title to or incumbrance of personal property and providing fees to be paid therefor, and repealing all laws or parts of laws in conflict herewith, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred House File No. 466, a bill for an act authorizing and directing the Governor and Secretary of State to execute and deliver to Homer Clark a patent conveying Government Lot 2 of Section 31, Township 77 North, Range 20 West 5th

P. M., beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred House File No. 424, a bill for an act to amend the law as it appears in Section 2942 of the Code, relating to acknowledgments, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 441, a bill for an act to repeal Chapter 186, Acts of the 37th General Assembly and to amend Section 275 of the Code, Section 280-d Supplement to the Code, 1913, and Section 694-c-49, Supplemental Supplement to the Code, 1915, etc., relating to compensation of reporters in superior and municipal courts, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Senator Thompson, from the committee on public utilities, submitted the following report:

MR. PRESIDENT—Your committee on public utilities, to whom was referred Senate File No. 290, a bill for an act to repeal the law as it appears in section seven hundred sixty-eight-c (768-c), section seven hundred sixty-eight-d (768-d), section seven hundred sixty-eight-e (768-e), and section seven hundred sixty-eight-f (768-f), supplement to the code, 1913, and to enact a substitute therefor, relating to the equipment of street railways, and to provide penalty for violation thereof, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

FRANK E. THOMPSON, *Chairman.*

On motion of Senator Thompson the report of the committee was adopted and the bill indefinitely postponed.

## Also:

Your committee on public utilities, to whom was referred Senate File No. 255, a bill for an act to amend Section fifteen hundred twenty-seven-c (1527-c) of the Supplement to the Code, 1913, relating to the transmission of electric light and power, beg leave to report they have had the same under consideration and recommend the same do pass.

FRANK E. THOMPSON, *Chairman.*

Ordered passed on file.

## SPECIAL ORDER.

On motion of Senator Kingland, Senate joint resolution No. 8 was made a special order for Friday, March 28th, at 9:30 a. m.

## SENATE FILE NO. 299 WITHDRAWN.

Senator Proudfoot moved that the vote by which the report of the committee was adopted indefinitely postponing Senate File No. 299, be reconsidered.

The motion prevailed.

By unanimous consent Senator Stoddard withdrew Senate File No. 299 from further consideration.

## THIRD READING OF BILLS.

On motion of Senator Rule, Senate File No. 303, a bill for an act to amend sections Sixteen Hundred Ten (1610) and Sixteen Hundred Eighteen (1618) of the Supplement to the code, 1913, relating to the duration of a corporation and fees for incorporating, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rule 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 vote was:

Ayes, 42.

Adams  
Alderson  
Arney  
Balkema  
Ball

Brookhart  
Broxam  
Buser  
Coburn  
Edwards

Evans  
Fellows  
Foskett  
Foster  
Fralley

Hale	Nelson	Scott
Haskell	Newberry	Shane
Holdoegel	Price	Smith
Horchem	Proudfoot	Stephenson
Kimball	Rainbow	Stoddard
Kimberly	Ratcliff	Thompson
Kingland	Reed	Van Alstine
Meredith	Rule	White
Mitchell	Schaffter	Wilson

## Nays, 1.

Whitmore

## Absent or not voting, 7.

Byington	LeCompte	Pitt
Cessna	Parker	Taylor
Greenell		

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 Kimberly, Senate File No. 443, a bill for an act to amend the law as it appears in section eight hundred seventy-nine-r (879-r) supplemental supplement to the code, 1915, affecting Juvenile Playgrounds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kimberly 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 vote was:

## Ayes, 45.

Adams	Frailey	Price
Anderson	Greenell	Proudfoot
Arney	Hale	Rainbow
Balkema	Haskell	Ratcliff
Ball	Holdoegel	Reed
Brookhart	Horchem	Rule
Broxam	Kimball	Schaffter
Buser	Kimberly	Scott
Cessna	Kingland	Stephenson
Coburn	LeCompte	Stoddard
Edwards	Meredith	Taylor
Evans	Mitchell	Thompson
Fellows	Nelson	Van Alstine
Foskett	Newberry	Whitmore
Foster	Pitt	Wilson



Nays, none.

Absent or not voting, 5.

Byington	Shane	White
Parker	Smith	

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

On motion of Senator Van Alstine, Senate File No. 118, a bill for an act to repeal sections sixteen hundred fourteen-c (1614-c), sixteen hundred fourteen-d (1614-d), sixteen hundred fourteen-e (1614-e), sixteen hundred fourteen-f (1614-f), sixteen hundred fourteen-g (1614-g), sixteen hundred fourteen-h (1614-h), sixteen hundred fourteen-i (1614-i), sixteen hundred fourteen-j (1614-j), sixteen hundred fourteen-k (1614-k), of the Supplement to the Code, 1913, relating to annual reports by corporations and to enact a substitute therefor, and making provision for forfeiture and cancellation of charter, and right to do business in this state, with report of committee recommending amendment and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out the title and in lieu thereof inserting the following:

"To amend sections sixteen hundred fourteen-f (1614-f), sixteen hundred fourteen-g (1614-g), sixteen hundred fourteen-h (1614-h), and sixteen hundred fourteen-i (1614-i) of the supplement to the code, 1913, relating to annual reports by corporations, and making provision for forfeiture and cancellation of the corporate charter, and rights to do business in this state."

Further by striking out all after the enacting clause and in lieu thereof inserting the following:

SECTION 1. That section sixteen hundred fourteen-f (1614-f) of the supplement to the code, 1913, be, and the same is hereby, amended by placing a comma after the word "shall" in the fifth line of said section, and also by inserting after the said word "shall" the following words: "in addition to the annual fee of one dollar required," and also by inserting a comma after the said word "required;" that said section be further amended by striking out the word "two" in the seventh line of said section and inserting in lieu thereof the word "one"; also by striking out the word "four" in the seventh line of said section and inserting in lieu thereof the word "two"; also by striking out the word "six" in the eighth line of said section and inserting in lieu thereof the word "three"; also

by striking out the word "eight" in the ninth line of said section and inserting in lieu thereof the word "four"; also by striking out the word "ten" in the tenth line of said section and inserting in lieu thereof the word "five". That said section be further amended by striking out the word "May" in the tenth line of said section and inserting in lieu thereof the word "January"; also by striking out the following words in the eighteenth line of said section, and commencing at the first of said line, to wit: "first day of May, nineteen hundred ten, and the"; also by striking out the word "May" in the eighteenth line of said section wherein it is used the second time and inserting in lieu thereof the word "February"; also by inserting after the word "corporation" in the twentieth line of said section the following words: "in the manner provided by section sixteen hundred and seventeen of the code" and by inserting a comma after the word "code".

SEC. 2. That section sixteen hundred fourteen-g (1614-g) of the supplement to the code, 1913, be and the same is hereby amended by striking out the word "April" in the seventh line of said section and inserting in lieu thereof the word "January"; also by striking out the word "May" in the eighth line of said section and inserting in lieu thereof the word "February". That said section be further amended by striking out the period at the end of said section and inserting in lieu thereof a comma, and also by adding after the said comma at the end of said section, the following:

"or, at his discretion, the attorney general may recommend that the secretary of state cancel the name of any delinquent corporation from the list of live corporations in his office, and enter such cancellation on the proper records, and when so cancelled by the secretary of state the corporate rights of any such corporation shall be forfeited and its corporate period terminated on the date such cancellation shall have been entered on the records of his office; provided, however, that the secretary of state shall forward to such corporation, a written notice of the recommendations of the attorney general, such notice to state that unless said corporation shall within sixty days of the date of such notice fully comply with the provisions of this act by filing in the office of the secretary of state any report that may be due and pay all fees and penalties that have accrued, or, in lieu thereof file a proof of publication of notice of dissolution as required by section sixteen hundred seventeen (1617) of the code, a declaration of forfeiture and cancellation will be entered on the records of his office. After such declaration and forfeiture shall have been entered by the secretary of state on the records of his office such corporation shall not be entitled to exercise the rights of a corporate body, except it may be allowed a reasonable time to close up its business and wind up its affairs, but no new business shall be transacted. The notice herein provided for, when enclosed in a sealed envelope with legal postage affixed thereon, and addressed to the corporation, shall constitute a legal notice for the purpose of this act, provided, that any corporation whose corporate rights shall have been cancelled and forfeited in the manner provided in this act, or any stockholder or creditor of such corporation may, however, make an application to the executive council in the manner

provided in section one hundred seventy-h (170-h), supplement to the code, 1913, for a compromise of the claim of the state for the fee and penalties that may have accrued under the provisions of this chapter, and upon payment of the secretary of state the fee or fees that may have accrued, and such amount in addition thereto as penalties as may be fixed by the executive council, and also, upon filing such annual reports as may be delinquent, the secretary of state shall reinstate said corporation and the decree of cancellation and forfeiture previously entered shall be annulled and the corporation shall be entitled to continue to act as a corporation for the unexpired portion of its corporate period, as fixed by its articles of incorporation and the limitations prescribed by law, with the right of renewal under section sixteen hundred eighteen-a (1618-a), supplement to the code, 1913; provided, however, that no corporation shall be permitted to waive any duty or obligation required of corporations or the payment of any just claim or claims by reason of such cancellation, forfeiture, and reinstatement as herein provided."

SEC. 3. That section sixteen hundred fourteen-h of the supplement to the code, 1913, be, and the same is hereby, amended by striking out the word "May" in the second line of said section and inserting in lieu thereof the word "February".

SEC. 4. That section sixteen hundred fourteen-i (1614-i) of the supplement to the code, 1913, be, and the same is hereby, amended by striking out the figures "1907" in the eighth line of said section and inserting in lieu thereof the figures "1913".

SEC. 5. The fees and penalty provided for in this act shall be a prior lien on any property of the corporation against all persons, whether said property is in the possession of said corporation or otherwise.

Senator LeCompte was called to the chair at 10:30.

Senator Van Alstine 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 vote was:

Ayes, 37.

Adams	Foskett	Ratcliff
Anderson	Foster	Rule
Arney	Haskell	Schaffter
Balkema	Holdoegel	Scott
Ball	Horchem	Shane
Brookhart	Kimberly	Smith
Broxam	Kingland	Stoddard
Buser	Meredith	Taylor
Cessna	Nelson	Thompson
Coburn	Newberry	Van Alstine
Edwards	Price	White
Evans	Proudfoot	Whitmore
Fellows		

## Nays, 1.

Hale

Absent or not voting, 12.

Byington	Le Compte	Rainbow
Fralley	Mitchell	Reed
Greenell	Parker	Stephenson
Kimball	Pitt	Wilson

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 Van Alstine, Senate File No. 121, a bill for an act to repeal section sixteen hundred twenty-eight (1628) of the code relating to non-users of franchise by corporation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Alstine 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 vote was:

Ayes, 38.

Anderson	Horchem	Rule
Arney	Kimball	Schaffter
Balkema	Kimberly	Scott
Ball	Kingland	Shane
Broxam	Meredith	Stephenson
Buser	Nelson	Stoddard
Cessna	Newberry	Taylor
Edwards	Pitt	Thompson
Evans	Price	Van-Alstine
Foskett	Proudfoot	White
Fralley	Rainbow	Whitmore
Greenell	Ratcliff	Wilson
Haskell	Reed	

Nays, none.

Absent or not voting, 12.

Adams	Fellows	Le Compte
Brookhart	Foster	Mitchell
Byington	Hale	Parker
Coburn	Holdoegel	Smith

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 Newberry, House File No. 332, a bill for an act to repeal the law as it appears in Section two thousand seven hundred and thirty-four-p (2734-p), Supplement to the Code, 1913, and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 35.

Anderson	Greenell	Schaffter
Arney	Hale	Scott
Ball	Horchem	Shane
Brookhart	Kimball	Smith
Broxam	Meredith	Stephenson
Cessna	Nelson	Stoddard
Coburn	Newberry	Taylor
Edwards	Price	Van Alstine
Evans	Rainbow	White
Fellows	Ratcliff	Whitmore
Foster	Reed	Wilson
Frailey	Rule	

Nays, none.

Absent or not voting, 15.

Adams	Haskell	Mitchell
Balkema	Holdoegel	Parker
Buser	Kimberly	Pitt
Byington	Kingland	Proudfoot
Foskett	LeCompte	Thompson

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Newberry offered the following amendment and moved its adoption:

I move to amend the title to House File No. 332 by adding thereto before the final period the following: "and relating to qualification of teachers, teachers' certificates and fee therefor."

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Rule, Senate File No. 459, a bill for an

act amending section nine (9), Chapter three hundred fourteen (314) Acts of the Thirty Seventh General Assembly, relating to Militia allowances and the Military Code of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rule 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 vote was :

Ayes, 40.

Adams	Hale	Ratcliff
Anderson	Horchem	Reed
Arney	Kimball	Rule
Balkema	Kimberly	Schaffter
Ball	Kingland	Scott
Broxam	Meredith	Shane
Buser	Mitchell	Stephenson
Cessna	Nelson	Stoddard
Coburn	Newberry	Taylor
Edwards	Pitt	Thompson
Evans	Price	Van Alstine
Foster	Proudfoot	Whitmore
Frailey	Rainbow	Wilson
Greenell		

Nays, none.

Absent or not voting, 10.

Brookhart	Haskell	Parker
Byington	Holdoegel	Smith
Fellows	LeCompte	White
Foskett		

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 Van Alstine, House File No. 351, a bill for an act to amend section two thousand seven hundred seventy-one (2771) of the code, relating to filling vacancies on the Board of Directors of school corporations, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Alstine moved that the rules be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Brookhart	Horchem	Schaffter
Broxam	Kimberly	Scott
Buser	Kingland	Shane
Cessna	LeCompte	Stoddard
Coburn	Meredith	Taylor
Edwards	Mitchell	Thompson
Evans	Newberry	Van Alstine
Foskett	Pitt	White
Foster	Price	Whitmore
Frailey	Proudfoot	Wilson

Nays, none.

Absent and not voting, 8.

Ball	Kimball	Smith
Byington	Nelson	Stephenson
Fellows	Parker	

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

President Moore resumed the chair at 11:00.

On motion of Senator Frailey, Senate File No. 484, a bill for an act relating to the licensing and qualifications of insurance agents, prohibiting the rebating of insurance premiums, and providing for a penalty for any violation of this act, a committee bill, was taken up and considered.

Senator Frailey 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.

Senator Frailey invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28.

Adams	Broxam	Foster
Anderson	Buser	Frailey
Arney	Evans	Greenell
Ball	Fellows	Horchem
Brookhart	Foskett	Kimberly

Mitchell  
Newberry  
Pitt  
Price  
Rainbow

Ratcliff  
Schaffter  
Scott  
Shane

Thompson  
Van Alstine  
Whitmore  
Wilson

Nays, 16.

Coburn  
Edwards  
Hale  
Haskell  
Holdoegel  
Kimball

Kingland  
LeCompte  
Meredith  
Nelson  
Reed

Rule  
Stephenson  
Stoddard  
Taylor  
White

Absent or not voting, 6.

Balkema  
Byington

Cessna  
Parker

Proudfoot  
Smith

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 Frailey, Senate File No. 485, a bill for an act amending section twenty (20), chapter four hundred twenty-nine (429), acts of the Thirty-seventh General Assembly, removing discrimination in computation of tax as between mutual and stock fire and casualty insurance companies, a committee bill was taken up, and considered.

Senator Frailey 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.

Senator Frailey invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 27.

Adams  
Arney  
Ball  
Brookhart  
Broxam  
Edwards  
Evans  
Fellows  
Foskett

Foster  
Frailey  
Greenell  
Haskell  
Kimball  
Kimberly  
Mitchell  
Price  
Proudfoot

Ratcliff  
Schaffter  
Scott  
Shane  
Stoddard  
Thompson  
Van-Alstine  
White  
Wilson



Nays, 20.

Anderson	Horchem	Rainbow
Balkema	Kingland	Reed
Buser	LeCompte	Rule
Cessna	Meredith	Stephenson
Coburn	Nelson	Taylor
Hale	Newberry	Whitmore
Holdoegel	Pitt	

Absent or not voting, 3.

Byington	Parker	Smith
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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 Brookhart, Senate File 238, a bill for an act to amend section three thousand ninety-two (3092) of the code, section three thousand ninety-three (3093) Supplement to the code, 1913, and section three thousand ninety-four (3094) Supplemental Supplement to the code, 1915, relating to the time when a sub-contractor may file a mechanic's lien. Owner's liability and discharge thereof, and to a sub-contractor's claim after ninety days, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Brookhart offered the following amendments and moved their adoption:

Amend the title by inserting after the figures, "1915" in the title, the words, "and section three thousand one hundred two (3102) of the code". That the bill be amended by adding at the end of the bill the following:

"SEC. 2. That the law as it appears in section thirty-one hundred two (3102) of the Code be and the same is hereby amended by striking therefrom the last three lines thereof, and by substituting for the lines so stricken the following: Within ninety days after the completion of said public building, bridge or other improvement, and such claims shall have priority in the order in which they are filed.

SEC. 3. That all acts and parts of acts in conflict herewith are repealed."

The amendments were adopted.

Senator Brookhart 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 vote was:

## Ayes, 22.

Adams	Fellows	Mitchell
Anderson	Foskett	Pitt
Arney	Foster	Rule
Brookhart	Frailey	Scott
Buser	Holdoegel	Stephenson
Cessna	Horchem	Whitmore
Edwards	Kingland	Wilson
Evans		

## Nays, 18.

Ball	Newberry	Schaffter
Coburn	Price	Shane
Haskell	Proudfoot	Stoddard
Kimball	Rainbow	Taylor
LeCompte	Ratcliff	Van Alstine
Nelson	Reed	White

## Absent or not voting, 10.

Balkema	Hale	Parker
Broxam	Kimberly	Smith
Byington	Meredith	Thompson
Greenell		

So the bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

## SPECIAL ORDER.

On motion of Senator Foster, Senate File No. 265 was made a special order for Tuesday, April 1st, at 10:30 a. m.

## THIRD READING OF BILLS.

On motion of Senator Rule, Senate File No. 326, a bill for an act repealing Sections fifty-two hundred thirty nine-N (5239-N) and fifty-two hundred thirty-nine-o (5239-o) of Chapter 12-A, Supplement to the Code, 1913, and enacting substitutes therefor relating to Arraignments, pleas, and judgments on written pleas of guilt in prosecutions on information filed by the County Attorney, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Rule 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 vote was:

Ayes, 43.

Adams	Greenell	Ratcliff
Anderson	Hale	Reed
Arney	Haskell	Rule
Balkema	Hoidoegel	Schaffter
Ball	Horchem	Scott
Brookhart	Kingland	Shane
Broxam	LeCompte	Smith
Buser	Meredith	Stephenson
Cessna	Nelson	Stoddard
Coburn	Newberry	Thompson
Edwards	Pitt	Van Alatine
Evans	Price	White
Fellows	Proudfoot	Whitmore
Foskett	Rainbow	Wilson
Fralley		

Nays, none.

Absent or not voting, 7.

Byington	Kimberly	Parker
Foster	Mitchell	Taylor
Kimball		

So the bill having received a constitutional majority was declared to have passed the Senate.

By unanimous consent, on request of Senator Rule the word "guilt" was changed to "guilty" in line 3 of the title and also in line 4 of Section 2.

The title as amended was agreed to.

On motion of Senator Balkema, Senate File No. 430, a bill for an act to amend the law as it appears in Section twenty-five hundred thirty-eight-r (2538-r) Supplement to the Code, 1913, relating to commission of animal health, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balkema 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 vote was:

Ayes, 32.

Adams	Balkema	Buser
Anderson	Ball	Coburn
Arney	Brookhart	Edwards

Hale	Price	Scott
Haskell	Proudfoot	Stephenson
Holdoegel	Rainbow	Stoddard
Horchem	Ratcliff	Van Alstine
Kimball	Reed	White
Meredith	Rule	Whitmore
Nelson	Shaffter	Wilson
Newberry		

Nays, 4.

Cessna	LeCompte	Smith
Foskett		

Absent or not voting, 14.

Broxam	Greenell	Pitt
Byington	Kimberly	Shane
Evans	Kingland	Taylor
Fellows	Mitchell	Thompson
Foster	Parker	

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

#### WITHDRAWAL OF MOTION TO RECONSIDER.

Having reached an agreement with the author of the bill, whereby amendments are to be offered in the House, I hereby withdraw my motion to reconsider Senate File No. 186.

H. S. VAN ALSTINE.

On motion of Senator Arney, Senate adjourned until 1:00 p. m.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

#### HOUSE AMENDMENT CONCURRED IN.

Senator LeCompte called up Senate File No. 224, amended by the House, and moved that the Senate concur in the following amendment:

Amend by striking from section two, line two, the words ", if any".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 27.

Anderson	Buser	Fellows
Arney	Cessna	Foskett
Brookhart	Evans	Hale

Haskell	Price	Schaffter
Holdoegel	Proudfoot	Scott
Kimball	Rainbow	Sterner
Kingland	Ratcliff	Stoddard
LeCompte	Reed	White
Nelson	Rule	Wilson

Nays, none.

Absent or not voting, 23.

Adams	Fralley	Pitt
Balkema	Greenell	Shane
Ball	Horchem	Smith
Broxam	Kimberly	Taylor
Byington	Meredith	Thompson
Coburn	Mitchell	Van Alstine
Edwards	Newberry	Whitmore
Foster	Parker	

So the House amendment having received a constitutional majority was declared to have been concurred in by the Senate.

#### THIRD READING OF BILLS.

On motion of Senator Stoddard, House File No. 199, a bill for an act to legalize the publication of certain notices of incorporation, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out the word "thereafter" in the 6th line of Section 1 of said bill and by inserting in lieu thereof the words: "within three months after the date required by law in such cases".

Senator Wilson offered the following amendment and moved its adoption:

Amend House File No. 199 by adding after the word "code" in the eleventh (11th) line of section one (1) the following: "and amendments thereto".

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

## Ayes, 31.

Anderson	Haskell	Reed
Arney	Holdoegel	Rule
Balkema	Kingland	Schaffter
Broxam	LeCompte	Scott
Cessna	Nelson	Stephenson
Evans	Newberry	Stoddard
Fellows	Price	Taylor
Foskett	Proudfoot	White
Frailey	Rainbow	Whitmore
Greenell	Ratcliff	Wilson
Hale		

## Nays, none.

## Absent or not voting, 19.

Adams	Edwards	Parker
Balj	Foster	Pitt
Brookhart	Horchem	Shane
Buser	Kimball	Smith
Byington	Kimberly	Thompson
Coburn	Meredith	Van Alstine
	Mitchell	

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 Cessna, House File No. 242, a bill for an act to confirm the title of Frank Schultz to the South East quarter of the North West Quarter of Section No. thirty-four (34) in Township No. eighty one (81) North Range No. fifteen (15), West Fifth P. M., in Poweshick County, Iowa, and authorizing the issuance of a patent to him therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

## Ayes, 32.

Anderson	Frailey	Nelson
Brookhart	Greenell	Newberry
Broxam	Hale	Price
Buser	Haskell	Proudfoot
Cessna	Holdoegel	Rainbow
Evans	Horchem	Ratcliff
Fellows	Kingland	Reed
Foskett	LeCompte	Rule

Schaffter  
Scott  
Shane

Stephenson  
Stoddard  
White

Whitmore  
Wilson

Nays, none.

Absent or not voting, 18.

Adams  
Arney  
Balkema  
Ball  
Byington  
Coburn

Edwards  
Foster  
Kimball  
Kimberly  
Meredith  
Mitchell

Parker  
Pitt  
Smith  
Taylor  
Thompson  
Van Alstine

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

#### SENATE FILE WITHDRAWN.

By unanimous consent Senator Cessna withdrew Senate File No. 213 from further consideration.

#### THIRD READING OF BILLS.

On motion of Senator Balkema, House File No. 326, a bill for an act to authorize the issuing of drainage bonds as provided by Section 1989-a27, Chapter 2-a, Title X, Code Supplement, 1913, for account of drainage districts organized under Chapter 2-b, Title X, Supplemental Supplement to the Code, 1915, and to legalize the organization of such drainage districts and assessments levied and bonds issued in respect thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Balkema offered the following amendments and moved their adoption:

Amend the title by striking out of line two the words "code supplement" and by inserting after the letter X the words "supplement to the code".

Also amend line 2 of Sec. 1 by striking out the words "code supplement" and inserting after the letter X the words "supplement to the code".

Also amend Sec. 3 line 3 by striking out the words "Des Moines Register" and inserting in lieu thereof the words "Iowa Forum".

The amendments were adopted.

Senator Balkema moved that the rules be suspended, and the

bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40.

Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Broxam	Kingland	Shane
Buser	Meredith	Smith
Cessna	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Evans	Newberry	Taylor
Fellows	Price	White
Foskett	Proudfoot	Whitmore
Frailey	Rainbow	Wilson
Greenell		

Nays, none.

Absent or not voting, 10.

Adams	Kimberly	Pitt
Byington	LeCompte	Thompson
Edwards	Parker	Van Alstine
Foster		

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 Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 122, a bill for an act to amend the law as it appears in section two hundred fifty-four-a20 (254-a20), supplement to the code, 1913, relating to financial aid for widowed mothers.

Also:

Senate File No. 97, a bill for an act to amend the law as it appears in section forty-nine hundred and seventy (4970) of the code, relating to the transportation of live stock by common carriers.



Also:

Senate File No. 339, a bill for an act to repeal section 2, chapter 168, acts of the Sixteenth General Assembly, and section 2640-a, Supplement to the Code, 1913, and to authorize and direct the state Board of Education to establish and maintain a Department of Homeopathic Materia Medica and Therapeutics in the College of Medicine of the State University of Iowa.

Senate Joint Resolution No. 7, 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.

Also:

Also:

Senate File No. 297, a bill for an act to amend Section Four Hundred Sixty-nine (469), Supplement to the Code, 1913, relating to the compensation and mileage allowed to Boards of Supervisors.

Also:

Senate File No. 60, a bill for an act to amend Chapter three hundred seventy (370) and to repeal Section two two (2) of chapter three hundred forty-nine (349), acts of the Thirty-seventh (37th) General Assembly, relating to the appointment and compensation of state agents by the Board of Control.

Also:

Senate File No. 87, a bill for an act to amend section seven hundred seventy (770) of the code, relating to construction of viaducts over or under railroads.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 122, a bill for an act to amend the law as it appears in section two hundred fifty-four-a20 (254-a20), supplement to the code, 1913, relating to financial aid for widowed mothers.

Also:

Senate File No. 97, a bill for an act to amend the law as it appears in section forty-nine hundred and seventy (4970) of the code, relating to the transportation of live stock by common carriers.

Also:

Senate File No. 339, a bill for an act to repeal section 2, chapter 168, acts of the Sixteen General Assembly, and section 2640-a, Supplement to the Code, 1913, and to authorize and direct the state Board of Education to establish and maintain a Department of Homeopathic Materia Medica and Therapeutics in the College of Medicine of the State University of Iowa.

Also:

Senate Joint Resolution No. 7, 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.

Also:

Senate File No. 297, a bill for an act to amend Section Four Hundred Sixty-nine (469), Supplement to the Code, 1913, relating to the compensation and mileage allowed to Boards of Supervisors.

Also:

Senate File No. 60, a bill for an act to amend Chapter three hundred seventy (370) and to repeal Section two (2) of chapter three hundred forty-nine (349), acts of the Thirty-seventh (37th) General Assembly, relating to the appointment and compensation of state agents by the Board of Control

Also:

Senate File No. 87, a bill for an act to amend section seven-hundred seventy (770) of the Code, relating to construction of viaducts over or under railroads.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

Senator Schaffter, 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 the following

bills: House File No. 14, a bill for an act to repeal the law as it appears in sections fifteen hundred seventy-d (1570-d) and fifteen hundred seventy-e (1570-e), supplement to the code, 1913, relating to the rebate of the highway tax for the use of wide tired wagons.

Also:

House File No. 216, a bill for an act making appropriations for the completion of waterworks at the State Hospital for the Insane at Cherokee.

Also:

House File No. 409, a bill for an act to legalize the transfer of funds by the city council by the city of Dubuque.

Also:

House File No. 257, a bill for an act to repeal sections twenty-seven hundred eighteen-c (2718-c), twenty-seven hundred eighteen-d (2718-d), twenty-seven hundred eighteen (2718-e), and twenty-seven hundred eighteen-f (2718-f), supplement to the code, 1913, and to enact substitutes therefor and relating to the required attendance of deaf children and blind children at the respective state schools, and for excuse therefrom, and providing a penalty for failing to comply with the provisions of this act, and appropriating funds for carrying out provisions of this act, including the compensation of agent to enforce provisions of this act.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*  
WILL L. KING,  
*Chairman House Committee.*

Adopted.

### THIRD READING OF BILLS.

On motion of Senator Wilson, House File No. 495, a bill for an act to legalize the official acts of certain persons acting as notaries public, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 35.

Anderson  
Arney  
Balkema

Ball  
Broxam  
Buser

Cessna  
Evans  
Fellows

Foskett	Nelson	Shane
Greenell	Newberry	Smith
Hale	Pitt	Stephenson
Haskell	Proudfoot	Stoddard
Horchem	Rainbow	Taylor
Kingland	Ratcliff	White
LeCompte	Reed	Whitmore
Meredith	Rule	Wilson
Mitchell	Schaffter	

Nays, none.

Absent or not voting, 15.

Adams	Foster	Parker
Brookhart	Frailey	Price
Byington	Holdoegel	Scott
Coburn	Kimball	Thompson
Edwards	Kimberly	Van Alstine

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

#### SPECIAL ORDER.

On motion of Senator Greenell, House File No. 255 was made a special order for 11:00 a. m., Friday, March 28th.

#### THIRD READING OF BILLS.

On motion of Senator Buser, Senate File No. 389, a bill for an act creating a State Purchasing Committee with authority to advertise for, receive and accept bids for bridge lumber, paving brick, cement, re-enforcing steel and culverts, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by changing the words "bridge lumber" in the title and body of the bill by substituting therefor the words "bridge material."

Amend Sec. 3 by striking from line 2 thereof the word "specifications" and inserting in lieu thereof the word "estimates."

Add as section 6 thereof, the following: "The State Highway Commission is hereby authorized to defray the expense incurred by the performance of the duties as provided in this act from its maintenance fund."

Add as section 7 the following: "All acts and parts of acts inconsistent or contrary to the provisions of this act shall be inoperative as regards the provisions of this act."

Senator Buser 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 vote was:

Ayes, 21.

Arney	Foskett	Rainbow
Balkema	Kimball	Schaffter
Brookhart	Kingland	Smith
Broxam	LeCompte	Stoddard
Buser	Mitchell	White
Cessna	Nelson	Whitmore
Edwards	Newberry	Wilson

Nays, 13.

Anderson	Haskell	Rule
Ball	Price	Shane
Coburn	Proudfoot	Stephenson
Foster	Ratcliff	Taylor
Hale		

Absent or not voting, 16.

Adams	Holdoegel	Pitt
Ryington	Horchem	Reed
Evans	Kimberly	Scott
Fellows	Meredith	Thompson
Frailey	Parker	Van Alstine
Greenell		

So the bill having failed to receive a constitutional majority was declared to have failed to pass the Senate.

BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate in the presence of the Senate, he had signed Senate Files Nos. 339, 97, 122, 87, 297, and 60, and Senate joint resolution No. 7.

Also, House Files Nos. 234, 103, 165, 88, 196, 14, 216, 409 and 257.

AMENDMENTS FILED.

Senator Holdoegel filed the following amendments and asked that they be printed in the journal:

I move that Senate File No. 212 be amended as follows:

Amend Section 6 by inserting after the parenthesis including the figures (2538-w11) the following: "Supplement to the Code, 1913".

And to strike out the figures "1913" in line five of Section 6, and insert in lieu thereof the figures "1915".

SENATE FILE NO. 486 IN JOURNAL.

On motion of Senator Wilson, Senate File No. 486 was ordered printed in the journal.

SENATE FILE NO. 486—BY COMMITTEE ON JUDICIARY NO. 1, SUBSTITUTE FOR S. F. 199 BY WHITE.

A BILL FOR AN ACT

To repeal Section five thousand seventy-seven-A-seventeen (5077-A-17), supplement to the code, 1913, and to enact a substitute therefor, relating to agricultural seeds.

*Be It Enacted by the General Assembly of the State of Iowa:*

SECTION 1. That section five thousand seventy-seven-A-seventeen (5077-A-17), supplement to the code, 1913, be and the same is hereby repealed and the following enacted in lieu thereof:

"A". Sand, dirt, chaff and foreign substances or broken seeds shall be considered impurities when present in agricultural seeds sold, offered or exposed for sale in this state for the purpose of seeding, and when present in quantities sufficient to reduce the purity of an agricultural seed below the standard as required in Section 5077-A-21, the name and approximate percentage of each shall be plainly indicated in the statement specified in Section 5077A-6 of this act.

"B". Seeds that are sold, offered or exposed for sale in this state without being labeled as to the true name and the variety of the same and as to their purity and germination shall not be considered to comply with the standards of purity and germination as fixed by this act, and when not in compliance with such standards or are falsely branded as to the true name and variety of the same and as to their purity and germination, the person or persons offering or exposing for sale or selling such seeds shall be guilty of a violation of this act and punished by such penalty as herein provided.

"C". Any person, firm or corporation who shall sell or offer for sale any seed corn for the purpose of planting shall, before making sale or delivery of any such seed corn, cause to be plainly stamped, printed or written upon the box, bag or other container of such corn a true statement showing the following information:

First: The name and address of the seller.

Second: The variety of such seed corn.

Third: The year when grown, and the state and county where grown.

Fourth: The germination and month and year when such germination was made.

Whether the seed sold or offered for sale was hand-picked or picked from the crib when cribbing.

Sixth: The consignee shall be permitted ten days in which to test this seed, and if found to fall below the test claimed by consignor, the same may be returned, and the money paid for the seed, together with all transportation charges paid, shall be returned to him by the consignor.

"D". Nothing in this act shall be deemed to apply to sales of less than one-half bushel in amount, unless the foregoing information is demanded by the purchaser at the time of purchase, nor shall the same be held to apply to farmers selling directly to neighbors.

"E". Any person, firm or corporation violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not to exceed two hundred fifty dollars (\$250.00) or imprisonment in the county jail not to exceed ninety days. The prosecuting witness in any case brought under the provisions of this act shall have the right of a change of venue upon his application therefor, but this application shall be limited to one such.

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 the Des Moines Capital, newspapers published in Des Moines, Iowa, without expense to the state.

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 chamber under the direction of the sergeant-at-arms.

#### JOINT SESSION.

Pursuant to concurrent resolution duly adopted, the joint convention was called to order, Hon. Ernest R. Moore, president of the Senate, presiding.

President Moore announced a quorum present.

Senator Kingland moved that a committee of three be appointed to notify Senator Albert B. Cummins that the joint session was ready to receive him and to escort him to the speaker's desk. Motion prevailed and the president appointed as such committee, Senator Kingland, Representatives Lockin of Cherokee and O'Donnell of Dubuque.

Senator Cummins was escorted to the speaker's desk. President Moore presented the Hon. Albert B. Cummins, who delivered the following address:

## HON. ALBERT B. CUMMINS.

*Mr. President, Mr. Speaker and Gentlemen of the General Assembly:*

Some weeks ago the Thirty-eighth General Assembly adopted a concurrent resolution expressing its views upon certain phases of what is generally known as the "Railroad Problem." The resolution further provided that a copy should be sent to the senators from Iowa, and to the members of the House of Representatives. It seemed to me appropriate that I should make some kind of response to the action of the General Assembly, and inasmuch as the subject is so comprehensive, intricate and difficult, I replied asking the president of the Senate and the speaker of the House if it would be agreeable to the legislative bodies over which they presided to make my response in the form of an address to a joint session of the two houses.

I assume that it is in pursuance of that request that the kind invitation under which I am here has been extended to me, and my purpose is to consider with you for a brief time the railway situation, in the hope that I may be helpful in some degree in bringing about a full understanding of the task which Congress is endeavoring to perform.

Barring, possibly, the proposed League of Nations, the readjustment of the relation between the government and the railroads is by far the most important and most difficult of the many problems of reconstruction which the war has bequeathed to the United States. There can be no prosperity, no proper development, no enduring growth, unless our system of transportation, both internal and external, is adequate in its facilities and reasonable in the charge for the service rendered. The people of the country should turn their minds to the question in a serious, determined way. They must think of it fundamentally, and with intelligence adopt a policy which will not only be economically sound, but which will furnish sufficient transportation to meet the constantly increasing demands of business, and furnish it at the lowest possible cost consistent with fairness to the capital invested, and to the men whose brain and brawn conduct and operate railway properties. We ought to bear constantly in mind these two requisites as the basis of all our efforts toward regulation and control. I repeat them: First, adequacy of facilities; second, cost of maintenance and operation.

Dismissing for the moment the former, my greatest desire is to impress upon you and the country the fact, never to be forgotten for a single moment as we pass through this discussion, that the cost of transportation is composed of just two items: First, the charge for capital; and, second, the charge for maintenance and operation.

If we are to serve successfully the general welfare our labors must be directed toward reducing, if we can, the charge for capital, and toward securing the utmost efficiency and economy in maintaining and operating the railway properties compatible with fair compensation to those whose mind and hands are engaged in rendering the service we require.

In order that there may be no misunderstanding as to my attitude, I desire to say in the beginning that I look upon transportation by railway



as a governmental function. I believe it is just as much the duty of the government to provide the people with adequate transportation at the lowest cost as it is to provide them with adequate highways, adequate water supply, adequate courts of justice, or adequate police protection. Whether the government can best perform this function through the government ownership and operation of railroads, or through the instrumentalities of private corporations under public control is entirely a matter of sound judgment and wise discretion. Whatever course is pursued the test must be the same. It is our manifest duty to adopt the plan which will give to the people of the country the transportation which they require at the lowest cost.

It is clearly recognized by every country in the world that government ownership and operation of railroads is a proper government activity, and if a particular government selects some other agency through which to accomplish its purposes it is solely because the commerce of the country can be better served through such agency. I interpolate this thought simply because there are some men who seem to believe that in government ownership and operation there is a dangerous approach toward socialism as it is generally understood. Nothing could be more erroneous than this view of the subject. I do not intend to enlarge upon this phase of the matter, and mention it only to quiet the fears which seem to disturb the composure of a great many good citizens.

I emphasize again the proposition already announced: The object which Congress must constantly bear in mind is the necessity for transportation, and the right of the people to have it upon reasonable terms. If they can secure better transportation and at lower rates through government ownership and operation that is the system which should be adopted. If, on the other hand, the object can be attained in a higher degree by employing private instrumentalities under public direction and control, it is obvious that we ought to pursue the latter course.

With these preliminary observations I beg to turn your thought, first, to the magnitude of the subject with which we must deal; and, second, to some historical facts which may be of value in determining what we ought to do.

The railways of the United States constitute about one-twelfth of all the property of the country. We have 260,000 miles of single track railway—more than one-third, nearly one-half of all the railways of the world. These railways of ours carry a yearly traffic so much greater than that of any other country that there is really no basis for comparison. Indeed, the traffic of any two nations may be combined and still it does not approach the commerce of America borne upon American railways.

The average capitalization of our railways is \$67,000 per mile, and while that may be greater than the cost of the properties, and I am quite convinced that it is, yet it is still true that it is considerably less than one-half the average capitalization of railways throughout the remainder of the world.

When we approach the radical readjustment of the system of control and regulation of such a property, appreciating its intimate relation with every other business activity, it is not difficult to understand the deep sense of responsibility which those who are engaged with the readjustment must feel; and the consciousness that the work must be done after the most complete inquiry, the most careful reflection, and the most intelligent comprehension of the subject in all its vast ramifications.

It is easy to demonstrate that these railways were not all built where they should have been built, and that the construction of hundreds of them was attended, not only with profound ignorance of the most fundamental principles of railroad building, but with a greed and graft which shocks the modern investigator; but which, happily, cannot be repeated in the future. Nevertheless, the railroads were built, communities have been developed which rely upon them, and it is idle to think even of dismantling any considerable number of them or of changing the channels of commerce which have now been established.

It is not my purpose to inquire into the iniquities of either the original construction of the railroads or into the dishonesty which accompanied the capitalization of the railway corporations. Much of the wrong-doing can never be punished, and much of the injustice can never be repaired. Nearly a generation has passed since most of these things were done, and the railroads are in the hands of a new and better body of men, who, in my opinion, have in the main for a decade or more been faithfully endeavoring to comply with the law in the management and operation of their railroads; and it is unfair to inflict upon them all the penalties which their predecessors justly incurred.

In my service as a member of the interstate commerce committee of the Senate I have been in close contact with most of the railway presidents and managers of the country, and I take this opportunity to say that, while I cannot accept in all respects their opinions with regard to the readjustment which everybody admits is imperative, I believe them to be thoroughly honest in their discussion of the subject; and that they have a sincere desire to help, rather than to hinder, Congress in finding the best solution of the intricate and important problem. It is natural that they should be biased, but it is a pleasure to know that all of them recognize that they are engaged in a public service and that the public interest is, and must always be, the paramount consideration.

Passing over the earlier history of the railroads without further remark, I bring your attention to the three years immediately preceding the war. The years 1915-16 and 17 were the most profitable years ever experienced in the operation of railroads. During these years the funded debt, and I use round numbers, amounted to eleven billions of dollars, and the capital stock, eliminating all duplication, to six billions five hundred millions of dollars. The property investment account, which was intended to show the actual cost of the railway property, but which in fact is inaccurate, as frequently declared by the Interstate Commerce Commission, aggregated something more than eighteen billions of dollars. The

average net railway operating income for the three years was nine hundred and thirty millions of dollars.

The average return upon the so-called property investment for the eastern district was 5.21 per cent, for the southern district 5.36 per cent, and for the western district 5.15 per cent. After paying all fixed charges, including interest upon the funded debt, and taxes, the railways earned upon their capital stock all the way from nothing to more than one hundred per cent.

Limiting my inquiry now to what are known as class 1 roads, being the railways which have a gross income of more than a million dollars annually, and still using the average of the pre-war period and the property investment account for comparisons, a startling situation is disclosed.

In the eastern district there are 67 railways: Three of them show a net operating income of more than 10 per cent upon the investment account. Two of them show more than 9 and less than 10. Three of them show more than 8 and less than 9. Four of them show more than 7 and less than 8. Five of them show more than 6 and less than 7. Twelve of them show more than 5 and less than 6. Fourteen of them show more than 4 and less than 5. Nine of them show more than 3 and less than 4. Seven of them show more than 2 and less than 3. Five of them show more than 1 and less than 2. Two of them show less than 1, and one of them was operated at a loss.

In the southern district there are 32 railroads: I need not particularize so closely with respect to them, and it is sufficient to say that upon the property account, 4 of them earned more than 7 per cent; 14 of them earned less than 5 per cent, and 7 of them earned less than 3 per cent.

In the western district there are 63 railroads: Thirteen of them had a net operating income of more than 6 per cent. Twenty-five of them had a net operating income of less than 3 per cent; and 20 of them a net operating income of less than 2 per cent.

I am stating these facts for one purpose, and one purpose only. It is to fasten upon your minds the disparity in the earning capacity of the various railroads of the country. In my judgment, the railroads earned in the years to which I have referred, as a whole, more than they ought to have earned; but the varying conditions of the several properties present an insoluble problem under our former system of regulation and control.

It is, of course, well known that a very large proportion of the railroad revenues are earned under competitive rates, and no matter what the necessities of a particular railroad may be it must do business upon the rates that prevail amongst its competitors. I give you a concrete illustration in order to make this point perfectly clear.

You are all familiar with the Chicago & Northwestern and the Chicago Great Western railroads. They are wholly competitive. The average net operating income of the Chicago & Northwestern for the period named

was 6.13 per cent upon its property investment account, while the average net operating income of the Chicago Great Western for the same period was 1.77 per cent. The Chicago Great Western cannot survive upon rates which will enable the Chicago & Northwestern to pay its interest and 8 or 10 per cent upon its capital stock, and add every year to its surplus.

What is true of the Chicago Great Western is true in greater or less degree of the railroads which carry about 25 per cent of the traffic of the country. To increase rates so that the weak roads will become self-sustaining and able to finance themselves would give to the roads which do 75 per cent of the business a revenue which the commonest sense of justice forbids.

It was this situation which finally convinced every thoughtful man, even before the war turned the railroads over to the government, that there must be a radical change in the system gradually developed from 1887 to 1917. I beg that you will remember these conditions, for upon them is found one principle which any readjustment must observe.

Two additional facts and I shall have finished the historical review. The funded debt of all the railroads was, at the beginning of the war, eleven billions of dollars, bearing an interest charge of four hundred and seventy-five millions of dollars, leaving substantially five hundred and fifty millions for either dividends, investment in property or surplus. In 1917 the revenue from operation was substantially four billions of dollars and the cost of maintenance and operation was substantially three billions.

In order to complete the basis for the comparisons I shall institute I pass to a very brief statement with respect to the year of government operation. The president took possession of the railroads on the 29th day of December, 1917. In March, 1918, Congress passed an act which authorized the government to pay for the use of the property a sum somewhat in excess of nine hundred millions of dollars annually. The volume of traffic in 1918 was slightly less than in 1917, but in the first half of the year the rates, both passenger and freight, were increased so that the revenues amounted to a trifle more than four billions nine hundred millions of dollars. That is the aggregate sum which the people of the country paid in the year in freight and passenger charges for their railroad transportation—something like eight hundred millions of dollars in excess of the amount paid in 1917.

The cost of maintenance and operation, however, grew to substantially four billions two hundred millions of dollars, to which we must add nine hundred millions for compensation and a further large sum yet to be announced for the expense of the Central Railroad Administration.

The outcome is that it cost the government more than five billions one hundred millions of dollars to furnish transportation for the year, leaving a deficit of more than two hundred millions of dollars to be paid from the treasury of the United States.

While the former director general expressed before our committee the belief, and in this opinion he was joined by the present director general, that the year 1919 would exhibit more satisfactory results, it is my judgment that the deficit of 1919 will not be less, and may be more, than the deficit of 1918. I do not intend to enter upon an analysis of this deplorable showing of government operation further than to say that the increase in revenues is substantially as great as the increase in wages and the advanced cost of supplies, and the shortage must be largely accounted for by the inefficiency incident to government operation and the tremendous increase in the number of railroad employees—an increase which has always been observed in all countries as they have passed from private to public operation.

Moreover, the government during the year either paid or became responsible for extensions, additions and betterments chargeable to capital account, and which the railroads must repay if they are able, about eight hundred millions of dollars. It is this condition which makes it impossible for the government to return the railroads to their owners until there is far-reaching legislation which will protect both the public and the railroads from the disasters which would inevitably follow an immediate return. Without the necessary credit to finance themselves, and in view of the enormous demands which the war has made, and is making upon the resources of the people, it is clear to thinking men that a return of the railroads to the corporations which formerly operated them without suitable legislation would lead fifty per cent of the railway mileage of the United States into the hands of receivers within six months.

It is the first and highest duty of Congress to deal with this situation in a fundamental way, and to establish a permanent policy for the future maintenance, regulation and control of our transportation systems. No half-way or timid measures will suffice. We must meet the question squarely and boldly. It is no time for shrinking, compromising spirits. I am sure that I speak for every member of the Senate when I invite the best thought of the General Assembly of Iowa to aid in the solution of this exceedingly and overwhelmingly important problem immediately confronting us.

You will understand, of course, that the facts which I have recited merely outline the information with which the history of railroads, their development and operation, is crowded, and I assume that you will supplement what I have said with your own comprehensive knowledge of the subject. These facts are sufficient, however, in my judgment, to point the way to the reorganization of our transportation system, and to sustain the principles which must be embodied in any successful readjustment of the relation between the government and the railways.

Some time prior to the first of January of the present year, and in anticipation of the hearings which have been in progress before the interstate commerce committee of the Senate for two months or more, I announced to the public a series of principles which, as it seemed to me, should be accepted in the enactment of any fundamental legislation. They are:

First. The return upon the capital invested in railways should be made certain through a government undertaking.

Second. The railways should be consolidated into comparatively few systems, and by few I mean not more than eighteen.

Third. The railways should be operated by private corporations organized under an act of Congress.

Many complete plans of reorganization have been laid before the Senate committee, brought forward by the most intelligent, thoughtful men of the country, some of whom are railway executives, some of whom represent security holders, some of whom are bankers, some of whom represent commercial and civic institutions, and some of whom are observers and students of economic life in all its varied phases.

It was intensely gratifying to me to discover as the hearing proceeded that all these plans, save one, adopted the substance of the principles which I had made public, although there are wide differences in the form of their application to the actual affairs of transportation.

Will you indulge me while I submit, with such brevity as I can command, the reasons which justify the principles to which I have called your attention?

The return upon the capital invested should be made certain by a government undertaking because:

First, it is highly desirable to remove for all time the demoralizing, corrupting struggle between the owners and representatives of railway property and the public, especially that part of the public directly interested in freight and passenger charges. For more than forty years this conflict has been going on in conventions, elections, legislatures, congresses and the courts. Sometimes the railways have won, sometimes the people have won, but the fight has been so intense that oftener than otherwise the justice of the matter has been ignored by both sides, and it is high time to bring the contest to an end.

Second: The honest investment in railway properties is entitled to protection, and the public is entitled to fair treatment. It is impossible to conceive of any revision of the law that will accomplish these two things without the elimination of the controversy relating to the return upon capital. The certainty of the return is also demanded because furnishing transportation is a public business, and abstractly considered there should be no speculative profit in the business.

Finally, and chiefly, the return should be made certain in order to reduce the charge for the capital invested in the railway properties. So long as the return is uncertain with respect to many railroads, every railroad will insist upon earning all it can.

Taken as a whole, the roads received in 1917 a net operating income of about a billion dollars, and they were contending earnestly for more. In 1918 Congress authorized the president to pay them as compensation

during the government possession somewhat more than nine hundred millions of dollars per year, and this did not include many of the short-line railways. If the government makes a certain return it can justly reduce the return to a rate of interest which a government obligation ought to bear.

Assuming but not conceding that the railways are worth in the aggregate seventeen billions of dollars, a return of four and a half per cent under a government guaranty would be ample. Under such a provision the annual charge for the properties as they now are would be seven hundred and sixty-five millions of dollars. The people paid in 1917 a capital charge of a billion dollars, and we are now paying under government operation a capital charge of more than nine hundred millions of dollars. The principle I have proposed, if embodied in the law, will save the people of the country from two hundred and fifty millions to five hundred millions of dollars annually, for it must be remembered that under the old system the capital charge was gradually increasing, and it is easy to believe that without reckoning any addition to the value of the property the capital charge would soon reach a billion two hundred millions of dollars.

Another vexatious element would be laid at rest. The unearned increment in public utility property is a constant menace. It ought to be understood, once for all, that a fair return upon the actual investment is all that capital can demand. I understand perfectly that many people will instinctively shrink from a guaranteed return, but their reluctance to adopt the principle will disappear upon reflection. There is no possibility of an additional burden; on the contrary, we will save an immense sum of money every year and at the same time convert railway securities into a stable investment and contribute tremendously to the available credits of the country.

There are various methods in which the principle can be applied. It may take the form of a legislative assurance that the rates shall be sufficient to produce the sum required, but preferably it will be put in a positive guaranty. It may be worked out through the securities as they now exist, but the simpler plan would be for a government corporation to acquire all the properties or all the securities and issue or substitute new obligations.

It is to be understood that in any event there must be a valuation of railway properties, unless there can be an agreement between a government agency, such as the Interstate Commerce Commission, and the owners with respect to value. In my judgment, this principle extends the only hope of a reduction in rates, or of preventing still further increases.

The second principle to which I have referred is that there must be a consolidation of the railroads into comparatively few systems. It is utterly impossible to maintain an efficient system of transportation with reasonable rates for service unless this be accomplished. In my statement of the earning capacity of the various roads it was made entirely clear that if the weaker roads are made self-sustaining so that they can

continue to serve the communities through which they pass, the stronger roads will enjoy a revenue so excessively large that the people as a whole will be compelled to pay inordinately for their transportation. This is one proposition upon which all impartial students of the subject agree, no matter whether they come from railway life or from the general community. The weaker roads must be merged with the stronger ones into competitive systems which can endure upon substantially even terms. They must be merged, too, under a law that will require at proper times a common use of terminal facilities and a free interchange of equipment, and thus preserve the great advantages of unification, which is the one superiority in government operation.

I am not in favor of regional systems, for we must at all hazards perpetuate competition in service. The experts who have studiously examined the matter are of the opinion that all the railroads of the country could be consolidated into, say, 18 systems, and that the competition in service in nearly every locality would be even more keen than when the government assumed control.

I cannot, within the time which I may properly consume, describe these systems, but I know that it is wholly practicable to do what I have suggested. When this is accomplished if any particular system earns enough as a whole to pay the capital charge and the cost of maintenance and operation the law will be satisfied, and all that will remain for the Interstate Commerce Commission to do will be to see that the rates as between communities and commodities are not discriminatory.

I would not have you think that it will be easy to bring about this situation. It will require very considerable time and a high order of intelligence, but it is largely administrative work, and in the hands of men who have devoted their lives to the subject it can be realized without danger to either the financial, commercial or industrial structure of the nation.

Here again more than one method can be used to embody the principle. It is possible to take railway corporations already in existence and work out the plan with them. My own conviction, however, is that the safer and better method is to put each of these consolidated systems in the hands of a federal corporation. It is gradually becoming clear that in so far as rates are concerned the national government must be the arbiter. I have come to this conclusion slowly and reluctantly, but it is folly to resist the inevitable conclusion. State-made rates which either discriminate against interstate rates, or which do not raise their full share of the required revenue, impair the control over interstate commerce which the constitution has conferred upon Congress, and destroy the efficiency of federal action. I sincerely hope that there will be found some feasible plan for co-operation in this matter between federal and

It seems to me, therefore, that all railway common carriers should be organized under an Act of Congress although I freely admit that the national government can exercise its full power through state corporations, but with some embarrassment and loss of efficiency.



The third principle which I have mentioned is that the railways should be operated by private corporations rather than by the government. I want you to observe that I emphasize the distinction between government ownership and government operation. I realize fully that when the government undertakes that the return upon the capital invested shall be certain, or in other words guarantees the return, whether by legislative assurance or explicit obligation, it is the equivalent of government ownership, and in so far as I am concerned, I am quite ready for the undertaking. The truth is that we have government ownership now in its most undesirable form. The Interstate Commerce Commission, under the present law, determines the revenues which the railways shall receive. It thereby determines the expenses which they may incur, and when the technical owner of property loses the right to say how much he shall have for its use, and the right to say how he should conduct the business of which it is a part, and the right to fix the cost of its operation, he has parted with the essential characteristics of private property.

I favor the private operation of railways under the strictest control for one reason, and one only. The government cannot operate the railroads either economically or efficiently. It is not my purpose to examine the experience of other countries. It is sufficient to say that to my mind that experience is not reassuring. But no matter how that may be I know that the government cannot take seventeen billions of railway property rendering a service which reaches every nook and corner of the land, employing in the service two millions of men or more, and indirectly affecting the fortunes of many other millions, and manage it with either economy or efficiency.

It costs the government more to do any given thing in a country like ours, where every man is a sovereign, than it costs anybody else to do the same thing. The history of every enterprise of a business character conducted by the government proves all and a great deal more than the statement I have just made. I disparage no one, and impugn no man's integrity. What I have said is not only the truth, but it is as natural as life itself.

I admit that the result of government operation during the year 1918—a year of war—is not altogether a fair criterion by which to test the capacity of the government to manage the business of transportation, and it is not my desire to discredit the officials who have been responsible for what has happened. They have, however, demonstrated that the influences which surround the operation of a great commercial and industrial enterprise are too strong to be resisted.

It is unnecessary for me to enter the details of this subject and my opinion is based solely upon the ground that the people of the country will get better transportation and at less cost in that way than through government operation; and that, as I view it, is the chief concern of those to whom the service is to be rendered.

If then, private operation is the better plan, how is it to be accomplished, in view of the limited capital charge which I have already considered? I am fully aware that if private corporations are to operate the several systems which I have described there must be an incentive in the way of profit in order to secure the highest degree of fidelity and efficiency. There must be a reward for good management and honest work, and a penalty for bad management and dishonest work.

Happily, there are several methods through which this problem can be worked out. It can be done through a leasing system, with the rights of lessees carefully prescribed in suitable contracts, but a still better way may be found by providing for a corporation ownership of the several systems into which the country should be divided, each corporation with a capitalization representing the actual value of the particular system, and the establishment of rates which will produce not only the cost of maintenance and operation and the guaranteed return upon capital, but a reasonable sum in excess of the guaranty; the excess to be divided between the stockholders and the working men. I am a profound believer in profit sharing, and when the rule is properly applied it will solve many of the problems which now disturb the industrial world. The additional compensation to capital for efficient management, together with the sum distributed among employes as a reward for faithful labor, will be far less than the increased cost of government operation.

These suggestions could be extended almost indefinitely but I forbear, knowing that I have sketched but the outline of a mighty field. If, however, I have turned your thought to the real questions which must be answered, and have induced you to give them the study of which you are capable, and thus forwarded the immediate task in which we are commonly engaged, I have fulfilled my mission and will be content with your judgment upon my public service in this regard.

One word more and I will have finished what to me has seemed a duty and which I hope you will not look upon as an unnecessary intrusion upon your valuable time. I intend to discuss this subject throughout the country within the next two months, and I felt that I should first lay my views before the law-making body of my own state.

Motion prevailed.

Minutes of the joint session were read and approved.

Senator Nelson moved that the joint session be now dissolved.

Motion prevailed.

Senate returned to the Senate chamber and resumed regular session.

## MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

Senate File No. 207, a bill for an act to amend Section twelve hundred ninety-a (1290-a) of the Supplemental Supplement to the Code, 1915, fixing the compensation of appraisers for collateral inheritance tax.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 435, a bill for an act to amend section two hundred sixty-nine (269) of the code, and chapter two hundred sixty-seven (267), acts of the Thirty-seventh General Assembly, in relation to the selection and drawing of petit jurors and talesmen for superior courts.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in the Senate amendments to House File No. 233, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to H. F. 293, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in the Senate amendments to House File No. 168, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in the Senate amendments to House File No. 365, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in the Senate amendment to House File No. 170, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in the Senate amendments to House File No. 35, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in the Senate amendments to House File No. 118, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

#### MOTION TO RECONSIDER.

MR. PRESIDENT—I move to reconsider the vote by which Senate File number three hundred and eighty-nine failed to pass the Senate, and the vote by which it passed to its third reading.

GEO. W. BALL.

On motion of Senator Foskett, Senate adjourned until 9:00 a. m. Friday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 28, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. M. L. Tate, M. A., rector of Christ Episcopal church of Des Moines.

## PETITIONS AND MEMORIALS.

Senator Scott presented a petition of Pilgrim Chapter D. A. R. of Floyd county favoring state banner for Iowa.

Referred to committee on military affairs.

Senator Schaffter presented a remonstrance of W. F. Parrott, of Waterloo, against the repeal of the quail law.

Referred to committee on fish and game.

## INTRODUCTION OF BILLS.

By committee on appropriations, Senate File No. 494, a bill for an act making an appropriation for the Iowa School for the Deaf.

Read first and second time and passed on file.

By committee on appropriations, Senate File No. 495, a bill for an act to amend section 1400-T-1 of the supplement to the code, 1913, relating to boundaries of capitol extension.

Read first and second time and passed on file.

By committee on highways, Senate File No. 496, a bill for an act to co-ordinate the work of the State of Iowa and the government of the United States relative to road improvements, to provide and to define a system of primary and secondary roads in each county and to provide for the extension of such primary system, to provide for

the improvement and maintenance of such roads and to prescribe the procedure therefor, to extend certain options to each county in the improvement of its roads, to provide the funds to pay the cost of such improvements and to regulate the division, accounting and disbursement of such funds, to authorize, in certain cases, the levy of limited special assessments upon real estate which abuts upon or is adjacent to such road improvements, in order to defray a part of the cost thereof and to regulate and prescribe the procedure in consummating such assessments and the collection and application thereof, to authorize and regulate the anticipation by each county of the funds (including special assessments) provided by this act for road improvements, to authorize the submission to the voters of each county the question of issuing the bonds of the county in order to secure immediate funds to carry on such improvements, and of levying an annual tax on all the property of the county to pay the annual interest on said bonds and to pay any deficiency in the principal of such bonds which cannot be met by other funds provided by this act, to authorize the submission to the voters of the county the question of validating specified contracts for the improvement of highways and the question of issuing the bonds of the county in order to carry out such contracts, and of levying an annual tax to pay the annual interest on such bonds and to pay any deficiency in the principal of such bonds which cannot be met by other funds provided by this act, to provide the procedure for submitting all such questions to the voters and for the determination of the result of such submission, to provide the procedure for the levy of taxes and for the form, conditions, issuance, application, disbursement, and payment of authorized bonds and the interest thereon, to limit the amount of bonds which may be issued under any vote of authorization, to provide for the purchase, lease, receipt and distribution of equipment in aid of the improvements provided by this act and to authorize the payment of the cost of such equipment, to prohibit and punish violations of this act, to repeal section one thousand five hundred seventy-one-thirty-two (1571-m 32), supplemental supplement to the code, 1915, and to enact a substitute therefor, to amend paragraph five (5) of section one thousand three hundred three (1303), supplemental supplement to the code, 1915, to repeal all acts and parts of acts conflicting with this act, to provide for the printing and distribution of this act and to provide the time when the same shall take effect.

Read first and second time and passed on file.

By committee on insurance, Senate File No. 497, a bill for an act relating to fraternal beneficiary societies, and providing a method whereby such fraternal beneficiary societies may be reincorporated as a legal reserve level premium life insurance company.

Read first and second time and passed on file.

By committee on judiciary No. 1, Senate File No. 498, a bill for an act to amend chapter ten (10), title three (3) of the code relating to attorneys and counselors and the practice of law and prescribing the duties of attorneys and counselors and making it unlawful for corporations to act as attorneys at law or to give legal advice and providing penalties for the violation of this act.

Read first and second time and passed on file.

By committee on appropriations, Senate File No. 499, a bill for an act to encourage horticulture and allied industries of the state of Iowa through an annual exposition and to make an appropriation therefor.

Read first and second time and passed on file.

By committee on appropriations, Senate File No. 500, a bill for an act to repeal section two thousand five hundred seventy-five (2575) of the code, and to enact a substitute therefor relating to the annual appropriation for the state board of health.

Read first and second time and 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. 511, a bill for an act to amend section thirty-one hundred eighty-one (3181), of the supplement to the code, 1913, relating to the time persons may live together as husband and wife within this State subsequent to the date of their filing a decree of divorce.

W. C. RAMSEY, *Chief Clerk.*

Also:

I am directed to 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 amend Section twenty-two hundred ninety seven (2297), Code, providing for liability of estates for the keeping of insane patients at private hospitals.

W. C. RAMSEY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 192, a bill for an act providing for the purchase of additional land for the Iowa State Fair.

W. C. RAMSEY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 193, a bill for an act providing for the construction of a cattle barn and sale pavilion at the Iowa State Fair Grounds.

W. C. RAMSEY, *Chief Clerk.*

Also:

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. 225, a bill for an act to amend Section 5040 of the Code, relating to the observance of the Sabbath.

W. C. RAMSEY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 511, a bill for an act to amend section thirty-one hundred eighty-one (3181), of the supplement to the code, 1913, relating to the time persons may live together as husband and wife within this State subsequent to the date of their filing a decree of divorce.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 416, a bill for an act to amend Section twenty-two



hundred ninety seven (2297), Code, providing for liability of Estates for the keeping of insane patients at private hospitals.

Read first and second time and referred to committee on board of control.

#### REPORTS OF COMMITTEES.

Senator Wilson, from the committee on judiciary No. 1, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 1, to whom was referred House File No. 439, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants for the town of Dallas Center, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 451, a bill for an act to amend section fifty-one hundred sixty-seven of the Code, relating to the limitation of indictment or prosecution when the defendant is out of the state, 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:

Amend by striking out all after the enacting clause and substituting therefor the following:

"SECTION 1. That section fifty-one hundred sixty-seven (5167), of the code, be and is hereby amended by striking out the last two (2) lines thereof and substituting therefor the following: "and if at any time after the offense is committed the defendant is not publicly resident within the state, the time which he is not publicly resident within the state shall be added as a part of the limitation."

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 452, a bill for an act to amend the law as it appears in Chapter twelve (12) Title III, of the Code and laws amendatory thereto providing for the forms of bonds to be used where public security is required to be given by law or order or judgment of the court and prohibiting the use of forms of bonds prepared for the special benefit or protection of the surety, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. M. WILSON, *Chairman.*

On motion of Senator Wilson the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 345, a bill for an act to repeal Section thirty-nine hundred thirty (3930) of the Code, and to enact a substitute therefor, relating to the release of attachments, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 247, a bill for an act to require bills having for their purpose the modification or amendment of existing statutes, to be so framed as to contain in full the new statute as modified and amended rather than by interlineation in or addition to such existing statute, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. M. WILSON, *Chairman.*

On motion of Senator Wilson the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 471, a bill for an act legalizing certain acknowledgments taken in countries other than the United States, 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:

Amend by striking out Section three (3), publication clause.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 453, a bill for an act to legalize the acts and proceedings of the Board of Supervisors and officers of the county of Palo Alto, State of Iowa, in relation to drainage district number ninety-two (92), within said county, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Senator Parker, 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. 9, a bill for an act granting additional powers to all cities including special charter cities and cities under commission plan of government, pertaining to levying of taxes for park, art and memorial purposes, 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:

By inserting after the comma in the third line thereof the following: "having a population of eighty-five thousand (85,000) or over,"

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Senator Kimball, 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. 376, a bill for an act to repeal a part of section thirteen hundred ninety-one (1391), Supplemental Supplement to the Code, 1915, also to repeal a part of section thirteen hundred seventy-four (1374) of the Code, also to repeal all of section fourteen hundred fifteen (1415), Supplement to the Code, 1913, and to enact substitutes in lieu thereof, relating to the apportionment and distribution of tax penalties and interest, beg leave to report they have had the same under consideration and recommend the same do pass.

CLEM F. KIMBALL, *Chairman.*

Ordered passed on file.

Also:

Your committee on ways and means, to whom was referred Senate File No. 453, a bill for an act to amend section thirteen hundred and four (1304) of the Supplement to the Code, 1913, relative to exemption of taxation, 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:

Amend by striking out all after the enacting clause and substituting therefor the following:

SECTION 1. That section thirteen hundred four (1304), of the Supplement to the Code, 1913, be amended by inserting after the word "estate" in the 16th line thereof the following: "where the same is not platted in town lots"; and by striking out in line nineteen (19) of said subdivision the words: "Shall not be taxed" and adding to said subdivision the fol-

lowing: "when, however, such real estate shall be in platted lots, there shall not be exempt to exceed twenty-five thousand dollars (\$25,000.00) of the assessed value thereof".

CLEM F. KIMBALL, *Chairman.*

Ordered passed on file.

Senator Ball, from the committee on public health, submitted the following report:

MR. PRESIDENT—Your committee on public health, to whom was referred House File No. 253 (by Moore and McFarlane), a bill for an act to amend Sec. 2527-A and Sec. 2527-C of the Supplement to the Code, 1913, relating to hotel inspection, beg leave to report they have had the same under consideration and recommend the same do pass.

GEO. W. BALL, *Chairman.*

Ordered passed on file.

Also:

Your committee on public health, to whom was referred Senate File No. 377 (by Proudfoot), a bill for an act to amend the law as it appears in Section 2575-a30, supplement to the code, 1913, regulating the practice of nursing 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 as follows, and when so amended the bill do pass:

Amend by striking out the "period" at the end of line seventeen of section one and inserting in lieu thereof a "comma" and adding the following: "provided that any nurse whose license has been cancelled by reason of a failure to pay such annual license fee may be re-instated without examination whenever he or she shall pay up one year's arrearage of such license fees."

GEO. W. BALL, *Chairman.*

Ordered passed on file.

Senator Whitmore, from the committee on elections, submitted the following report:

MR. PRESIDENT—Your committee on elections, to whom was referred House File No. 261, a bill for an act to amend section ten hundred and eighty-seven-a ten (1087-a10) of the supplement to the Code, 1913, relating to the nomination of candidates for office and providing for the manner for nominating candidates for offices where more than one (1) is to be elected at the succeeding general election and providing the manner in which the names of such candidates shall be printed on the primary ballot, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

CHESTER W. WHITMORE, *Chairman.*

On motion of Senator Whitmore the report of the committee was adopted and the bill indefinitely postponed.

### THIRD READING OF BILLS.

On motion of Senator Parker, Senate File No. 464, a bill for an act to repeal Section forty eight hundred fifty-two (4852) of the Code, and to enact a substitute therefor, relating to the selling or concealing of mortgaged personal property or property sold under a conditional bill of sale, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by inserting after the word "wilfully" in line three (3) of section two (2) the following: "and with intent to defraud".

Senator Parker 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 vote was:

Ayes, 32.

Adams	Foskett	Reel
Anderson	Foster	Schaffter
Arney	Fralley	Scott
Balkema	Hale	Shane
Brookhart	Haskell	Stephenson
Broxam	Holdoegel	Stoddard
Buser	Horchem	Van Alstine
Byington	Meredith	White
Coburn	Nelson	Whitmore
Evans	Parker	Wilson
Fellows	Rainbow	

Nays, 8.

Edwards	Proudfoot	Taylor
Mitchell	Rateliff	Thompson
Price	Rule	

Absent or not voting, 10.

Ball	Kimberly	Newberry
Cessna	Kingland	Pitt
Greenell	LeCompte	Smith
Kimball		

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

#### SPECIAL ORDER.

On motion of Senator Evans, Senate Joint Resolution No. 8 was made a special order for Tuesday, April 1st, at 11 a. m.

President pro tem Arney was called to the chair at 10 a. m.

#### THIRD READING OF BILLS.

On motion of Senator Holdoegel Senate File No. 277, a bill for an act to establish a state psychopathic hospital especially designed, equipped and administered for the care, observation and treatment of persons who are afflicted with abnormal mental conditions, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend the pending bill by adding after the word "introduced" in the 7th line of Section 10 the following sentence: "upon such hearing the person against whom the complaint is made shall be entitled to a trial by jury" and also by inserting after the word "judge" in the eighth line of Section 10 the words "or jury".

The amendment was adopted.

By unanimous consent on request of Senator Whitmore, the date "July 1st" was changed to "July 15th" in the last line of the bill.

Senator Holdoegel 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 vote was:

Ayes, 43.

Adams	Evans	Meredith
Anderson	Fellows	Mitchell
Arney	Foskett	Newberry
Balkema	Foster	Parker
Ball	Frailey	Price
Brookhart	Greenell	Rainbow
Broxam	Hale	Ratcliff
Buser	Haskell	Reed
Byington	Holdoegel	Rule
Coburn	Horchem	Schaffter
Edwards	LeCompte	Scott

Shane  
Smith  
Stephenson  
Stoddard

Taylor  
Thompson  
Van Alstine

White  
Whitmore  
Wilson

Nays, none.

Absent or not voting, 7.

Cessna  
Kimberly  
Kimball

Kingland  
Nelson

Pitt  
Proudfoot

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Wilson offered the following amendment to the title and moved its adoption:

Amend by adding thereto the following: "and providing for method of hearing complaint as to persons so afflicted and commitment following such hearing, and making appropriation for the establishment of such hospital."

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Frailey House File No. 376, a bill for an act adopting a state emblem for the State of Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Proudfoot raised the point of order that the subject covered by this bill had already been disposed of by the defeat of a similar measure heretofore.

The president reserved his ruling on the point of order, but held that there was sufficient reason in the point of order raised to justify the postponement of further action on the bill until the chair could have opportunity to examine and compare House File No. 376 and Senate File No. 66, the latter being the bill previously defeated in the Senate.

On motion of Senator Wilson Senate File No. 486, a bill for an act to repeal Section five thousand seventy-seven-A-seventeen (5077-A-17) Supplement to the code, 1913, and to enact a substitute therefor, relating to agricultural seeds, a committee bill, was taken up and considered.

Senator Wilson offered the following amendment and moved its adoption:

I move to amend by striking therefrom subdivision E of Section one (1) thereof.

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking from line sixteen of Section one thereof the word, "not".

The amendment was lost.

By unanimous consent the words "without expense to the state" were stricken from the publication clause.

Senator Wilson 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 vote was:

Ayes, 41.

Adams	Greenell	Reed
Anderson	Hale	Rule
Arney	Haskell	Schaffter
Balkema	Holdoegel	Scott
Ball	Horchem	Shane
Brookhart	LeCompte	Smith
Broxam	Meredith	Stephenson
Byington	Nelson	Stoddard
Coburn	Newberry	Thompson
Edwards	Parker	Van Alstine
Evans	Price	White
Fellows	Proudfoot	Whitmore
Foster	Rainbow	Wilson
Fralley	Ratcliff	

Nays, none.

Absent or not voting, 9.

Buser	Kimball	Mitchell
Cessna	Kimberly	Pitt
Foskett	Kingland	Taylor



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

President Moore resumed the chair at 10:45 a. m.

On motion of Senator Greenell House File No. 255, a bill for an act to repeal Section Twenty-five hundred fourteen-h (2514-h), Section Twenty-five hundred fourteen-m (2514-m), Section twenty-five hundred fourteen-q (2514-q), Section twenty-five hundred fourteen-s (2514-s), and Section twenty-five hundred fourteen-t (2514-t), of the Supplement to the Code, 1913, and to enact substitutes therefor; also to amend section twenty-five hundred fourteen-u (2514-u), and section twenty-five hundred fourteen-w (2514-w), of the Supplement to the Code, 1913, relating to the inspection of hotels and providing for the licensing thereof, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

By inserting between the word "business" and the semicolon in line 26 of section one the following: "which application shall be accompanied by a statement showing the maximum rates to be charged for each room in such hotel to the guests when occupied by one guest, by two guests, by three guests or more and on the first day of July and January in each year thereafter; and the rate for each room shall be posted on a card on the inside of the entrance door to such room in type of such size and dimension sufficiently large to be easily read. A complete list of rooms by number and floor, together with rate for each room, shall be continuously kept posted on the wall near the office in the lobby of such hotel and open to public inspection without request from the management and no greater rate shall be charged or collected."

That said section one shall be amended by striking out the word "no" in line 44 thereof and adding in lieu thereof the word "said" and by striking out the "period" at the end of line 45 and adding the following: "upon payment of one dollar for such transfer."

Amend section two by striking out the period at the end of line 21 and placing in lieu thereof a comma and adding the following: "in the same room" and by striking out of lines 31 and 32 of said section the following: "a transom over the door at least twelve inches in height and as wide as the door" and by adding in lieu thereof "sufficient ventilation in the door or doorway or by such other equivalent improvement as may be later discovered" and by adding after the word "under" in line 43 of said section the following: "sheets sufficiently large to cover the mattress" and by striking out the word "each" in said line 42.

And by adding after the word "guests" in line 59 of said section the words "in guest rooms" and by striking out the word "such" in line 62 of

said section and by adding the words "linen or" after the word "table" at the end of line 70 of said section.

By striking out all of section four beginning with the words "in case" in line 15 of said section and adding thereto the following: "provided however that the inspectors of hotels shall not have power to cancel annual or invalidate any license issued, except, upon the judgment of a court of record or municipal court."

By inserting after the word "conviction" in line 6 of section seven the following: "of any court of competent jurisdiction."

Senator Haskell offered the following amendment and moved its adoption:

Amend the committee amendment to House File No. 255 by striking therefrom all of the first paragraph after the period found in line 8 of the amendment as printed in the journal.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 7.

Coburn  
Foster  
Nelson

Parker  
Schaffter

Stoddard  
White

Nays, 34.

Adams  
Anderson  
Balkema  
Ball  
Brookhart  
Broxam  
Buser  
Byington  
Edwards  
Evans  
Fellows  
Frailey

Greenell  
Hale  
Haskell  
Holdoegel  
Horchem  
Kimball  
LeCompte  
Meredith  
Newberry  
Price  
Rainbow

Ratcliff  
Reed  
Rule  
Scott  
Shane  
Smith  
Stephenson  
Thompson  
Van-Alstine  
Whitmore  
Wilson

Absent or not voting, 9.

Arney  
Cessna  
Foskett

Kimberly  
Kingland  
Mitchell

Pitt  
Proudfoot  
Taylor

The amendment was lost.

Senator Thompson offered the following amendment and moved its adoption:

Amend by striking from the bill lines 19, 20 and 21 of section 2.

Senator Rule offered the following as a substitute for the pending amendment:

Amend by striking out of Section two, beginning with the word "only" in line twenty (20) of said section, all the balance of said lines 20 and 21, and inserting in lieu thereof the following: "said hotel shall furnish to all guests slugs for admittance to toilets, said slugs to be furnished without expense to the guests".

The substitute amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 43.

Adams	Greenell	Ratcliff
Anderson	Hale	Reed
Arney	Haskell	Rule
Balkema	Holdoegel	Schaffter
Ball	Horchem	Scott
Brookhart	Kimball	Shane
Broxam	LeCompte	Smith
Buser	Meredith	Stephenson
Byington	Mitchell	Stoddard
Coburn	Newberry	Thompson
Edwards	Parker	Van Alstine
Evans	Price	White
Fellows	Proudfoot	Whitmore
Foskett	Rainbow	Wilson
Fralley		

Nays, none.

Absent or not voting, 7.

Cessna	Kingland	Pitt
Foster	Nelson	Taylor
Kimberly		

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

Senator Price moved that the vote by which House File No. 255 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

## SENATE FILE NO. 222 WITHDRAWN.

By unanimous consent, on request of Senator Greenell, Senate File No. 222 was withdrawn from further consideration.

## THIRD READING OF BILLS.

On motion of Senator Rule House File No. 248, a bill for an act to amend the law as it appears in Section twenty-eight hundred twenty-d4 (2820-d4), Supplement to the Code, 1913, relating to the vote required to authorize the issuance of bonds and to legalize elections heretofore held in School Districts, where a majority of the votes cast at such elections was in favor of issuing bonds and to legalize such bonds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 42.

Adams	Foster	Proudfoot
Anderson	Fraley	Rainbow
Arney	Greenell	Ratcliff
Balkema	Hale	Reed
Ball	Haskell	Rule
Brookhart	Hoidoegel	Schaffter
Broxam	Horchem	Scott
Buser	Kimball	Shane
Byington	LeCompte	Smith
Coburn	Mitchell	Stephenson
Edwards	Nelson	Stoddard
Evans	Newberry	Thompson
Fellows	Parker	White
Foskett	Price	Whitmore

Nays, none.

Absent or not voting, 8.

Cessna	Meredith	Van Aistine
Kimball	Pitt	Wilson
Kingland	Taylor	

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 Edwards House File No. 385, a bill for an act to legalize ordinances and amendments to ordinances of the town of Madrid, Boone County, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 41.

Anderson	Greenell	Ratcliff
Arney	Hale	Reed
Balkema	Haskell	Rule
Ball	Horchem	Schatter
Broxam	Kimball	Scott
Buser	LeCompte	Shane
Byington	Meredith	Smith
Cessna	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Newberry	Thompson
Evans	Parker	Van Aistine
Fellows	Price	Whitmore
Foskett	Proudfoot	Wilson
Fralley	Rainbow	

Nays, none.

Absent or not voting, 9.

Adams	Holdoegel	Pitt
Brookhart	Kimberly	Taylor
Foster	Kingland	White

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 Thompson House File No. 459, a bill for an act to legalize an election held in Consolidated Independent School District of Huron, Des Moines County, Iowa, authorizing the issuance of bonds in the sum of Fifty-five thousand dollars (\$55,000), and to validate said bonds, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 41.

Adams	Greenell	Reed
Anderson	Hale	Rule
Arney	Haskell	Schaffter
Ball	Holdoegel	Scott
Brookhart	Horchem	Shane
Broxam	LeCompte	Smith
Buser	Meredith	Stephenson
Byington	Mitchell	Stoddard
Coburn	Newberry	Thompson
Edwards	Parker	Van Alstine
Evans	Price	White
Fellows	Proudfoot	Whitmore
Foskett	Rainbow	Wilson
Fralley	Ratcliff	

Nays, none.

Absent or not voting, 9.

Balkema	Kimball	Nelson
Cessna	Kimberly	Pitt
Foster	Kingland	Taylor

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

#### SENATE FILE NO. 236 RECALLED FROM HOUSE.

Senator Anderson moved that the House be requested to return Senate File No. 236, the companion bill from the House having just passed the Senate.

The motion prevailed.

#### CORRECTION OF JOURNAL.

The journal of March 27th was corrected and approved.

On motion of Senator Parker, Senate adjourned until 1:15 today.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

## REPORT OF COMMITTEE.

Senator Foskett, from the committee on appropriations, submitted the following report:

MR. PRESIDENT—Your committee on appropriations, to whom was referred House File No. 502, a bill for an act to appropriate funds for the construction and equipment of a cottage for the training school for girls at Mitchellville, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred House File No. 29, a bill for an act to repeal the law as it appears in Sections 1658 and 1659, Supplement to the Code 1913, and Section 1661-a, Supplemental Supplement, 1915, and to enact a substitute therefor relating to state aid granted county and district fairs or agricultural societies, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 480, a bill for an act to amend the law as it appears in Section 161-a Supplement to the Code, 1913, relating to the settlement with state officers, appointment of expert accountant and assistants, powers of Executive Council, and to enact a substitute therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 56, a bill for an act to indemnify and pay C. A. Wissler \$3500 for loss and damage sustained while in the discharge of his duty as an employee of the State at the State Sanitorium for the Treatment of Tuberculosis, 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:

Amend the title by striking out of line two (2) thereof the words and figures "Thirty-five Hundred Dollars (\$3500.00)" and inserting in lieu thereof the words and figures "One Thousand Two Hundred and Eleven Dollars (\$1211.00)", and by striking out of line three (3) of said bill the words and figures "Thirty-five Hundred Dollars (\$3500.00)" and inserting in lieu thereof the words and figures "One Thousand Two Hundred and Eleven Dollars (\$1211.00)".

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 71, a bill for an act to repeal Section 2310-a6 of the Supplement to the Code, 1913, and to enact a substitute therefor, and to change the name of the State Hospital, etc., beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

H. I. FOSKETT, *Chairman.*

On motion of Senator Foskett, the report of the committee was adopted and the bill indefinitely postponed.

#### INTRODUCTION OF BILLS.

By committee on judiciary No. 1, Senate File No. 501, a bill for an act to amend section thirty-seven hundred and sixty-four (3764) of the code relating to the dismissal of actions.

Read first and second time and passed on file.

By committee on judiciary No. 1, Senate File No. 502, a bill for an act to amend section fourteen hundred and forty-one (1441), supplement to the code, 1913, relating to notice of expiration of right of redemption from tax sale.

Read first and second time and passed on file.

#### THIRD READING OF BILLS.

On motion of Senator Foster, House File No. 456, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants for the town of Adel, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.



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

On the question, "Shall the bill pass?" the vote was:

Ayes, 32.

Balkema	Haskell	Reed
Ball	Holdoegel	Rule
Broxam	Kimball	Schaffter
Buser	Meredith	Scott
Byington	Nelson	Shane
Edwards	Newberry	Stephenson
Evans	Parker	Taylor
Foskett	Price	Van Alstine
Foster	Proudfoot	Whitmore
Fralley	Rainbow	Wilson
Hale	Ratcliff	

Nays, none.

Absent or not voting, 18.

Adams	Fellows	Mitchell
Anderson	Greenell	Pitt
Arney	Horchem	Smith
Brookhart	Kimberly	Stoddard
Cessna	Kingland	Thompson
Coburn	LeCompte	White

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 Foster, Senate File No. 410, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants of the Town of Panora, in Guthrie County, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Foster 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 vote was:

Ayes, 35.

Balkema	Byington	Evans
Ball	Coburn	Fellows
Buser	Edwards	Foskett

Foster	Parker	Shane
Fralley	Price	Stephenson
Greenell	Proudfoot	Taylor
Hale	Rainbow	Thompson
Haskell	Ratcliff	Van Alstine
Kimball	Reed	White
Meredith	Rule	Whitmore
Nelson	Schaffter	Wilson
Newberry	Scott	

Nays, none.

Absent or not voting, 15.

Adams	Cessna	LeCompte
Anderson	Holdoegel	Mitchell
Arney	Horchem	Pitt
Brookhart	Kimberly	Smith
Broxam	Kingland	Stoddard

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

#### SENATE FILE WITHDRAWN.

By unanimous consent Senator Foster withdrew Senate File No. 384 from further consideration.

#### THIRD READING OF BILLS.

On motion of Senator Foskett, House File No. 215, a bill for an act authorizing counties, cities and towns to erect and equip, or purchase and equip, soldiers', sailors' and marines' memorial buildings, to purchase or condemn necessary grounds therefor, and to issue bonds therefor, and to levy a special tax for the purpose of liquidating said bonds, and for the maintenance of such buildings, supplemental to chapter four (4), title five (5), of the Code, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Reed offered the following amendment and moved its adoption:

Amend by striking from section one thereof the words:

"When a public library is included in such building, such library shall be established, supported and controlled in the same manner, in all respects, as provided by the general laws relating to public libraries."

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Anderson	Fralley	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Reed
Ball	Holdoegel	Rule
Broxam	Kimball	Schaffter
Buser	Kingland	Scott
Byington	Meredith	Shane
Coburn	Mitchell	Stephenson
Edwards	Nelson	Taylor
Evans	Newberry	White
Fellows	Parker	Whitmore
Foskett	Price	Wilson
Foster	Proudfoot	

Nays, none.

Absent or not voting, 12.

Adams	Horchem	Smith
Brookhart	Kimberly	Stoddard
Cessna	LeCompte	Thompson
Greenell	Pitt	Van Alstine

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. 133, a bill for an act to amend chapter one hundred thirty-one (131), acts of the thirty-seventh general assembly, relating to the levying of taxes for fire fund, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Arney	Edwards	Hale
Balkema	Evans	Haskell
Ball	Fellows	Holdoegel
Buser	Foskett	Horchem
Byington	Fralley	Kimball
Coburn	Greenell	LeCompte

Meredith	Ratcliff	Taylor
Nelson	Reed	Van Alstine
Newberry	Rule	White
Parker	Schaffter	Whitmore
Price	Scott	Wilson
Proudfoot	Shane	
Rainbow	Stephenson	

Nays, none.

Absent or not voting, 13.

Adams	Foster	Smith
Anderson	Kimberly	Stoddard
Brookhart	Kingland	Thompson
Broxam	Mitchell	
Cessna	Pitt	

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 Byington, House File No. 208, a bill for an act to amend section six hundred fifty-one (651), supplement to the code, 1913, relating to the appointment of officers in cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 34.

Arney	Hale	Reed
Balkema	Haskell	Rule
Ball	Holdoegel	Schaffter
Broxam	Horchem	Scott
Buser	LeCompte	Shane
Byington	Meredith	Stephenson
Coburn	Nelson	Taylor
Edwards	Newberry	Van Alstine
Evans	Parker	Whitmore
Fellows	Proudfoot	Wilson
Foskett	Rainbow	
Greenell	Ratcliff	

Nays, none.

Absent or not voting, 16.

Adams	Cessna	Kimball
Anderson	Foster	Kimberly
Brookhart	Frailey	Kingland

Mitchell  
Pitt  
Price

Smith  
Stoddard

Thompson  
White

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. 6, a bill for an act requiring the use of the English language as the medium of instruction in all secular subjects in all schools within the state of Iowa, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend by inserting the word "teaching" before the word "secular" in the fourth line of the bill, also further amend by inserting after the word "prohibited" in line five thereof the following: "and the teaching of any language other than English in the public schools, below the high schools is hereby prohibited."

Senator Brookhart offered the following amendment and moved its adoption:

Amend the committee amendment by adding after the word "public" the words "private or parochial".

Senator Evans offered the following as a substitute for the pending amendment and moved its adoption:

I move as a substitute for the amendment to the amendment the following: "Amend by adding after the word "public" the words "or parochial".

Senator Schaffter moved the previous question on the substitute amendment, which motion prevailed, and the previous question was ordered.

On the question, "Shall the substitute amendment be adopted?" the vote was:

Ayes, 23.

Adams  
Anderson  
Arney  
Broxam  
Coburn  
Evans  
Fellows  
Foster

Fralley  
Greenell  
Hale  
Haskell  
Holdoegel  
Horchem  
Kingland  
Meredith

Nelson  
Newberry  
Price  
Scott  
Thompson  
Van Alstine  
Wilson

## Nays, 19.

Ball	Parker	Shane
Brookhart	Proudfoot	Stephenson
Buser	Rainbow	Stoddard
Byington	Ratcliff	White
Edwards	Reed	Whitmore
Foskett	Rule	
LeCompte	Schaffter	

## Absent or not voting, 8.

Balkema	Kimberly	Smith
Cessna	Mitchell	Taylor
Kimball	Pitt	

The amendment was adopted.

Senator Thompson moved to lay all pending amendments on the table.

Senator Wilson raised the point of order that a motion to lay on the table was not debatable.

The president held the point of order well taken.

On the question, "Shall the motion to lay pending amendments on the table prevail?" the vote was:

## Ayes, 7.

Evans	Horchem	Thompson
Foster	Kingland	
Greenell	Nelson	

## Nays, 34.

Adams	Hale	Rule
Anderson	Haskell	Schaffter
Arney	Holdoegel	Shane
Balkema	LeCompte	Stephenson
Hall	Meredith	Stoddard
Brookhart	Newberry	Taylor
Broxam	Parker	Van Alstine
Buser	Price	White
Byington	Proudfoot	Whitmore
Edwards	Rainbow	Wilson
Fellows	Ratcliff	
Foskett	Reed	

## Absent or not voting, 9.

Cessna	Kimball	Pitt
Coburn	Kimberly	Scott
Prainley	Mitchell	Smith

The motion was lost.

The committee amendments as amended were adopted.

Senator Schaffter offered the following amendment and moved its adoption:

Amend in the first and second lines of Section 1, by striking out the words "in all secular subjects," and in lines 4 and 5 of said section by striking out the words "in teaching secular subjects in said schools."

Senator Schaffter moved the previous question on the amendment, which motion was lost.

Senator Kimball moved that the bill with all pending amendments and such amendments as may be filed be re-referred to the committee on schools, to be reported back by 10:00 a. m. Tuesday, April 1st.

The motion prevailed.

On motion of Senator Stephenson, House File No. 290, a bill for an act to amend section twenty-seven hundred seventy-three (2773), Supplement to the Code, 1913, and Twenty-seven hundred thirty-three-one a (2733-1a), Supplemental Supplement to the Code, 1915, relating to the length of time pupils may attend the public schools and the payment of tuition in certain cases, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 44.

Adams	Hale	Ratcliff
Anderson	Haskell	Reed
A-ney	Holdoegel	Rule
Balkema	Horchem	Schaffter
Ball	Kimball	Scott
Brookhart	Kingland	Shane
Buser	LeCompte	Stephenson
Byington	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Nelson	Thompson
Evans	Newberry	Van Alstine
Fellows	Parker	White
Foskett	Price	Whitmore
Frailey	Proudfoot	Wilson
Greenell	Rainbow	

Nays, none.

Absent or not voting, 6.

Broxam	Foster	Pitt
Cessna	Kimberly	Smith

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 Rainbow, House File No. 303, a bill for an act to repeal Section six hundred ninety-four c-six (694-c6) of the Supplemental Supplement to the Code of Iowa, 1915, and to enact a substitute therefor, providing for the number of Judges of the Municipal Court, and the Clerks and Bailiffs thereof, and the method of appointment, nomination, and election, and tender of office, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Hale	Rainbow
Arney	Haskell	Ratchiff
Balkema	Hoidoegel	Reed
Ball	Horchem	Rule
Brookhart	Kimball	Schaffter
Buser	Kingland	Scott
Byington	LeCompte	Shane
Coburn	Meredith	Stephenson
Evans	Mitchell	Stoddard
Fellows	Nelson	Taylor
Foskett	Newberry	Thompson
Foster	Parker	White
Frailey	Price	Whitmore
Greenell	Proudfoot	Wilson

Nays, none.

Absent or not voting, 8.

Adams	Coburn	Smith
Broxam	Kimberly	Van Alstine
Cessna	Pitt	

So the bill having received a constitutional majority was declared to have passed the Senate.



Senator Evans offered the following amendment to the title and moved its adoption:

Amend the title to House File 303 by striking out the word "tender" in last line of the title, and substituting in lieu thereof the word "tenure".

W. T. EVANS.

The amendment was adopted and the title as amended was agreed to.

#### TITLE TO HOUSE FILE NO. 318 AMENDED.

Senator Byington called up House File No. 318, recalled from the House, for the purpose of amending the title as follows:

Amend the title to House File No. 318 by striking out all of said title after the word "act" in the second line thereof and inserting in lieu thereof the following:

"to amend sections twenty-seven hundred twenty-seven-a seventy-six (2727-a76) and twenty-seven hundred twenty-seven-a eighty-two (2727-a82), and to repeal section twenty-seven hundred twenty-seven-a eighty-three (2727-a83) of chapter eleven-C (11-C), title thirteen (XIII), supplement to the code, 1913, relative to the requirements of patients for admission to the tuberculosis sanatorium at Oakdale, Iowa."

The amendment was adopted.

#### MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

House File No. 225, a bill for an act to prevent the spread of hog cholera and other diseases; regulating the business of disposing of the bodies of dead animals by the process of cooking, burying, or burning; providing for the issuance of licenses to persons, firms, and corporations, permitting them to follow such business; providing for the violation of any of its provisions and repealing conflicting laws.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 amend section six hundred eighty-three (683), supplement to the code, 1913, and section six hundred

eighty-four (684) of the code, providing for passage or adoption of ordinances, resolutions and orders by town councils.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 217, a bill for an act to amend sections one thousand eighty-seven-a5 (1087-a5), and one thousand ninety-three (1093), supplemental supplement to the code, 1915, referring to election boards and providing for the compensation of judges and clerks of election.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 requiring public contractors to file a bond for the protection of the parties contracting therewith and for the benefit of those furnishing such contractor with materials used or labor performed in the carrying out of such contracts; fixing the terms and conditions of such bonds; requiring the same to be filed with the clerk of the District Court; providing for suit to be brought thereon, and fixing the time within which such suit may be instituted; and making the furnishing of such bond a condition precedent to the validity of such public contracts.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 403, a bill for an act to amend the law as it appears in section 694-C47 of the supplemental supplement to the code, 1915, as amended by chapter 152 of the acts of the 37th General Assembly relating to the compensation of judges, clerks and bailiffs of municipal courts.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 441, a bill for an act to amend the law as it appears in section two hundred fifty-four-a twenty (254-a20), supplement to the code, 1913, relating to the amount of financial aid to be given to widowed mothers to properly care for their children.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 237, a bill for an act to amend Section three thousand one hundred two (3102) of the Code relating to the time of filing liens.

W. C. RAMSAY, *Chief Clerk.*

Also:

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 amend the law as it appears in Chapter 26, Section 1, Acts of the 37th General Assembly, relating to the acquisition of school house sites.

#### HOUSE AMENDMENT.

Amend S. F. No. 316 by striking out of line eleven of said bill the words "or second".

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 296, a bill for an act to amend section twenty-seven hundred ninety-four-a (2794-a) of the supplemental supplement to the Code, 1915, as amended by chapter 432 of the Acts of the Thirty-seventh General Assembly, relating to consolidated school districts.

#### HOUSE AMENDMENTS.

Amend by changing the period following the word "district" in line 24 of Section 1 to a comma, and by inserting immediately thereafter the following:

"which publication shall be made not less than five days nor more than fifteen days prior to the hearing or election to which they refer."

Also by adding to Section 1 the following: "The judges of the elections herein provided for shall be appointed by the county superintendent with whom the petition was filed. Such judges shall be qualified voters of the territory or district in which they are to serve. If any judge fails to appear at the proper time his place shall be filled by the judge or judges present".

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 351, a bill for an act to amend the law as it appears in section three thousand one hundred ninety-seven (3197) of the Code, relating to the giving of bonds by guardians, and providing for the amount and approval of the same.

#### HOUSE AMENDMENT.

Amend by striking from the last line of section one the word "ten" and inserting in lieu thereof the word "twenty-five".

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 225, a bill for an act to prevent the spread of hog cholera and other diseases; regulating the business of disposing of the bodies of dead animals by the process of cooking, burying, or burning; providing for the issuance of licenses to persons, firms, and corporations, permitting them to follow such business; providing for the violation of any of its provisions and repealing conflicting laws.

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

House File No. 418, a bill for an act to amend section six hundred eighty-three (683), supplement to the code, 1913, and section six hundred eighty-four (684) of the code, providing for passage or adoption of ordinances, resolutions and orders by town councils.

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

House File No. 217, a bill for an act to amend sections one thousand eighty-seven-a5 (1087-a5), and one thousand ninety-three (1093), supplemental supplement to the code, 1915, referring to election boards and providing for the compensation of judges and clerks of election.

Read first and second time and referred to committee on county and township affairs.

House File No. 224, a bill for an act requiring public contractors to file a bond for the protection of the parties contracting therewith and for the benefit of those furnishing such contractor with materials used or labor performed in the carrying out of such contracts; fixing the terms and conditions of such bonds; requiring the same to be filed with the clerk of the District Court; providing for suit to be brought thereon, and fixing the time within which such suit may be instituted; and making the furnishing of such bond a condition precedent to the validity of such public contracts.

Read first and second time and referred to committee on judiciary No. 2.

House File No. 403, a bill for an act to amend the law as it appears in section 694-C47 of the supplemental supplement to the code, 1915, as amended by chapter 152 of the acts of the 37th General Assembly relating to the compensation of judges, clerks and bailiffs of municipal courts.

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

House File No. 441, a bill for an act to amend the law as it appears in section two hundred fifty-four-a twenty (254-a20), supplement to the code, 1913, relating to the amount of financial aid to be given to widowed mothers to properly care for their children.

Read first and second time and referred to committee on county and township affairs.

House File No. 237, a bill for an act to amend Section three thousand one hundred two (3102) of the Code, relating to the time of filing liens.

Read first and second time and referred to committee on judiciary No. 1.

#### RULING ON POINT OF ORDER.

The president announced that he was ready to rule on the point of order raised by Senator Proudfoot on the consideration of House File No. 376.

Senate File No. 66 failed to pass the Senate. Later, House File No. 376 was received from the House, placed on the Senate calendar, and was under discussion when Senator Proudfoot raised the point of order that the consideration of House File No. 376 was out of order, as it contained practically the same subject matter as Senate File No. 66.

The president cited Cushing's Manual, Jefferson's Manual and Hinds' Precedents in support of his ruling that a question or bill having been disposed of by the Senate, a similar measure could not again be considered at the same session. The president, therefore, held that the point of order raised by Senator Proudfoot was well taken, and ruled that House File No. 376 should be taken from the calendar, and could not be considered by the Senate.

Senator Rule moved that the rules be suspended and that the bill be allowed to remain on the calendar.

Senator Proudfoot raised the point of order that the motion was out of order, under the ruling heretofore made by the chair.

The president held the point of order well taken.

Senator Kimball raised the point of order that the Senate ought to have the power to suspend a rule and bring the matter up again for consideration.

The president gave his opinion that the Senate ought not attempt to set aside so well established a precedent in legislative procedure.

Senator Proudfoot raised the point of order that there was no matter or motion before the Senate for discussion.

The point of order was sustained.

Senator Kimball moved that the committee on rules be instructed to prepare a rule whereby a bill passed by one House could be considered by the other, even though a similar measure had been previously disposed of adversely, and that the committee report back by 10:00 a. m. on Monday, March 31st.

Senator Proudfoot raised the point of order that it was not in order for the Senate to adopt a rule providing for any action which would be contrary to all established precedents.

The president held that the point was well taken, but stated that he would nevertheless entertain the motion made by Senator Kimball.

Senator Wilson moved that the motion of Senator Kimball be laid on the table.

The motion prevailed.

Senator Evans moved that Senator Frailey be permitted to file a motion to reconsider the vote by which Senate File No. 66 failed to pass the Senate.

Senator Proudfoot raised the point of order that in view of the decision rendered by the chair, the motion by Senator Evans was out of order.

The point of order was sustained.

Senator Wilson raised the point of order that there was no motion before the Senate for discussion and that therefore the Senator speaking was out of order.

The point of order was sustained.

Senator Holdoegel asked as a matter of information if the ruling of the chair would apply likewise to the consideration of the bill providing for a memorial building on the capitol grounds, a bill of that kind having recently passed the Senate, after a similar bill in the House had been defeated.

The president said that in his opinion the Senate could consider a Senate bill even though the House had already acted unfavorably on a House bill.

Senator Whitmore appealed from the decision of the chair with regard to Senate File No. 66 and House File No. 376, giving as his reason that he considered that there was enough difference in the two bills so that the point of order raised by Senator Proudfoot ought not be held to be applicable.

Senator Proudfoot raised the point of order that the question had already been settled by the decision rendered by the chair.

The president stated that he had no desire to interfere with the appeal from the decision.

Senator Proudfoot raised the further point of order that the appeal was not debatable.

The president held that while the point was well taken, the imparting of information ought not to be out of order.

Senator Hale invoked rule 8.

On the question, "Shall the decision of the chair be sustained?" the vote was:

Ayes, 37.

Arney	Hale	Ratcliff
Ball	Haskell	Reed
Brookhart	Horchem	Schaffter
Broxam	Kingland	Scott
Buser	LeCompte	Shane
Coburn	Mitchell	Sttphenenson
Edwards	Nelson	Stoddard
Evans	Newberry	Taylor
Fellows	Parker	Thompson
Foskett	Price	Van Alstine
Foster	Proudfoot	White
Fralley	Rainbow	Wilson
Greenell		

Nays, 7.

Anderson	Holdoegel	Whitmore
Balkema	Kimball	
Byington	Rule	

Absent or not voting, 6.

Adams	Kimberly	Pitt
Cessna	Meredith	Smith

The chair was sustained.

#### EXPLANATION OF VOTE.

I cast my vote in favor of sustaining the decision of the Chair on the question of appeal from the ruling, such appeal being raised by Senator Whitmore. I am and have been at all times in favor of the Iowa Emblem bill, but I recognize how manifestly fair and just the President has been at all times and I therefore cast my vote in favor of sustaining



the President's ruling, notwithstanding the fact that I am still in full sympathy with the bill over which the question was raised.

K. M. LeCOMPTÉ.

#### EXPLANATION OF VOTE.

Explanation of my vote on appeal from the decision of the Chair relative to House File No. 376.

I voted in this matter to sustain the Chair for the reason that according to every parliamentary law, rule and precedent, the Chair, in my opinion was correct in his decision. This decision, as a matter of parliamentary law, is sustained by Cushing, Jefferson's Manual, and Hinds' Precedents.

I introduced the original "Flag Bill" in the Senate and championed it upon the floor thereof and was advocating the passage of House File No. 376 upon the floor of the Senate when further action was stopped by the interposition of the point of order herein referred to.

Therefore, there can be no question as to my absolute conviction that this bill should have been passed by this body, but my personal convictions in this matter must of necessity, give way to law and order and the well established laws and rules of parliamentary bodies in this country for the past century.

J. R. FRAILEY.

President Moore made the following statement:

Every senator here has, during his service in this chamber, the right to rise, gain the recognition of the Chair, and speak from the standpoint of personal privilege. It is not within the province of the Chair to do so but for just a moment he is going to assume it.

This is the close of my second session as presiding officer and it is the first time that an appeal has been taken from my decision. I want to assure the senators who voted for sustaining the decision and those who voted against that I concede to them the right of conscientious action. I believe they voted their convictions.

I want to say this, however; you men have differences of opinion as to the value of this measure. I am not here as a legislator. I am here as a state officer who is ex officio, the presiding officer in this body. I have no voice in legislation. I am not expected to either shape or influence it and I can say to you truthfully that I have not attempted to do so. Unfortunately in many cases he who sits in this chair is like the innocent bystander and "gets the brick."

May I be permitted to say that it has been to me a matter of very great regret that I was compelled to rule today against the consideration of a measure in which I have a very great personal interest. Had I been privileged to sit on the floor of the senate rather than where I now stand and had been privileged to have a vote it would have been a very great

pleasure to have supported this measure, introduced and supported, as it was, by a Society of which many of my relatives are members and in which I personally have a very great interest.

I trust that I have not transgressed either in the matter of good taste or the privileges of this senate in making this brief statement.

#### MOTION TO RECONSIDER WITHDRAWN.

MR. PRESIDENT—I hereby withdraw the motion filed by me on March 26th to reconsider the vote by which House File No. 318 passed the Senate and also to withdraw the motion filed by me to reconsider the vote by which the bill passed to its third reading.

O. A. BYINGTON.

#### MOTIONS TO RECONSIDER FILED.

MR. PRESIDENT—I move to reconsider the vote by which Senate File No. 238 failed to pass the Senate, and to also reconsider the vote by which said bill passed to its third reading.

CLEM F. KIMBALL.

I move to reconsider the vote by which the amendment to House File No. 6 was adopted adding the words "or parochial" after the word "public" in section 1.

W. T. EVANS.

On motion of Senator Foster, Senate adjourned until 9:00 a. m. Saturday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 29, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. A. D. Glashan, pastor of the Forest Avenue Baptist Church of Des Moines.

## PETITIONS AND MEMORIALS.

Senator Reed presented a petition of citizens of Winneshiek county favoring the protecting of quail and prairie chickens.

Referred to committee on fish and game.

Senator Byington presented a remonstrance of committee of St. Patrick's and St. Mary's Church of Iowa City against House File No. 455.

Referred to committee on schools.

Senator Fellows presented a remonstrance of citizens of Fayette county against hard surfaced roads.

Referred to committee on highways.

## INTRODUCTION OF BILLS.

By committee on judiciary No. 2, Senate File No. 503, a bill for an act to legalize certain warrants issued by the Board of Supervisors of Wapello County, Iowa.

Read first and second time and passed on file.

By committee on cities and towns, Senate File No. 504, a bill for an act to amend section Nine Hundred Sixteen (916) of the Code relating to plats of additions in cities and towns.

Read first and second time and passed on file.

By committee on insurance, Senate File No. 505, a bill for an act relating to insurance; requiring that certain insurance concerns adopt insurance bureau ratings, or maintain or co-operate in maintaining and operating insurance rate making bureaus; providing for the organization, operation and supervision of such insurance rate-making bureaus; authorizing the supervision and examination of such rating bureaus by the Commissioner of Insurance; providing for an inspection and survey by such bureaus of all insurance risks specifically rated; requiring rating bureaus to furnish copies of surveys, rates fixed, and defects found; directing the Commissioner of Insurance to appoint inspectors to inspect properties and check up surveys; authorizing a hearing upon and review of the rates fixed by any such bureau for insurance upon property within the State of Iowa; prohibiting discrimination in fixing and collecting insurance rates; forbidding rebates of premiums paid under such rates; fixing penalties for the violation of this act; and appropriating state funds for carrying out its provisions.

Read first and second time and passed on file.

By committees on judiciary Nos. 1 and 2, Senate File No. 506, a bill for an act to repeal section three thousand eight hundred sixty-nine (3869) of the code, and enact the following in lieu thereof relating to the amount of attorneys' fees to be taxed as costs in suits on written contracts providing for attorneys' fees.

Read first and second time and passed on file.

By committees on judiciary Nos. 1 and 2, Senate File No. 507, a bill for an act to repeal section four thousand two hundred sixty-one (4261) of the code, and enact in lieu thereof relating to attorneys' fees to be taxed as costs in partition of real estate.

Read first and second time and passed on file.

#### LEAVE OF ABSENCE.

On request of Senator Frailey leave of absence was granted Senator Price for the day.

On request of Senator Le Compte leave of absence was granted Senators Rainbow and Foster for the day.

On request of Senator Stephenson leave of absence was granted Senator Brookhart for the day.

On request of Senator Evans leave of absence was granted Senator Kimberly for the day.

On request of Senator Anderson, leave of absence was granted Senator Meredith for the day.

On request of Senator Cessna, leave of absence was granted Senator Broxam for the day.

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

#### BILLS SIGNED BY GOVERNOR.

Communications were received from the governor saying that he had on March 25, 1919, approved and signed Senate Files Nos. 142 and 138; also on March 27, 1919, approved and signed Senate Files Nos. 21, 25, 90, 99, 102, 168, 174, 171, 175, 67 80, 14, 74, 276, 76, 340 and 42.

#### HOUSE AMENDMENTS CONCURRED IN.

Senator Newberry called up Senate File No. 351, amended by the House, and moved that the Senate concur in the following House amendment:

Amend by striking from the last line of section one the word "ten" and inserting in lieu thereof the word "twenty-five".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 31.

Adams	Foskett	Rule
Anderson	Frailey	Scott
Arney	Hale	Stephenson
Balkema	Haskell	Stoddard
Ball	Kimball	Taylor
Byington	Kirkland	Thompson
Cessna	Newberry	Van Alstine
Coburn	Proudfoot	White
Edwards	Ratcliff	Whitmore
Evans	Reed	Wilson
Fellows		

Nays, none.

## Absent or not voting, 19.

Brookhart	Kimberly	Pitt
Broxam	LeCompte	Price
Buser	Meredith	Rainbow
Foster	Mitchell	Schaffter
Greenell	Nelson	Shane
Hoidoegel	Parker	Smith
Horchem		

The House amendment, having received a constitutional majority, was declared to have been concurred in by the Senate.

## REPORTS OF COMMITTEES.

Senator Proudfoot, from the committee on judiciary No. 2, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 2, to whom was referred Senate File No. 462, a bill for act amending Sections 254-a-18 and 254-a-29, Supplement to the Code, 1913, relating to probation officers and detention homes, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2 to whom was referred Senate File No. 457, a bill for an act to legalize the action and acts of the County Superintendent of Floyd County, Iowa, and of the Board of Directors and officers of the School Township of Union, in the County of Floyd, State of Iowa, preliminary to, and in connection with, a special election held on the 14th day of March, 1919, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2 to whom was referred Senate File No. 437, a bill for an act to amend the law as it appears in Sections 250, 3261 and 3283 of the Code and providing for the admission to probate or wills of decedents by clerks of the district court, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2 to whom was referred Senate File No. 398, a bill for an act relating to the sales, or promoting of sales, of stocks, bonds or other securities by means of any artifice or fraud, and relating to promoting sales of same, by false advertisements, etc., 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:

By inserting following the word "imprisonment" in the 9th line of Section 1, the following: "in the county jail".

By inserting the words "stocks, bonds, notes or" in the following places in Section 2 thereof: Following the word "in" in the first line, following the word "any" in the sixth line, following the word "such" in the eighth line, following the word "speculative" in the twelfth line, following the word "such" in the fourteenth line, and following the word "such" in the fifteenth line, and also following the word "own" in the second line.

By inserting after word "imprisonment" in the eighteenth line of said Section 2, the following words: "in the county jail".

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2 to whom was referred House File No. 391 (by Peters), a bill for an act to legalize certain warrants of the City of Perry, Iowa, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 2 to whom was referred House File No. 274 (by Epps), a bill for an act to repeal Section 1258-o of the Supplement to the Code, 1913, and enacting a substitute therefor, relating to the removal of county, township or municipal officers from office, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report of the committee was adopted and the bill indefinitely postponed.

Senator Parker, 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. 456, a bill for an act granting additional powers to cities and municipalities and to the Board of Health in cities and municipalities, 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:

By striking out the catch words in Sections one, two and three.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 63, a bill for an act giving cities power to assess abutting and adjacent property for the cost of acquiring land by condemnation or purchase, and improving the same for streets, avenues, alleys, boulevards, parkways and highways, 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 the title and substitute therefor: "A bill for an act amending Section seven hundred fifty-one (751), Supplement to the Code, 1913, relating to the establishment, improvement and assessments on abutting property in cities and towns". and strike out all after the enacting clause and substitute therefor, the following: Section 1. That the law as it appears in Section seven hundred fifty-one (751), Supplement to the Code, 1913, be and the same is hereby amended by inserting in line fourteen (14), between the words "avenues" and the word "alleys" the following: "boulevards, parkways,".

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Senator Edwards, from the committee on county and township affairs, submitted the following report:

MR. PRESIDENT—Your committee on county and township affairs, to whom was referred House File No. 108, a bill for an act to amend section twenty-seven hundred twenty-two-j (2722-j) of the supplemental supplement to the code, 1915, relating to the benefit that the county board of supervisors may allow persons who have been declared to be blind, and providing who shall be entitled to receive the same, 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:

Amend the title by inserting immediately preceding the word "of" of the first line of the title to the bill the following words: "And section twenty-seven hundred twenty-two-k (2722-k)

By striking all after the enacting clause and substituting in lieu thereof the following:



SECTION 1. That section two thousand seven hundred twenty-two-j (2722-j) supplemental supplement to the code, 1915, be and the same is hereby repealed and the following substituted in lieu thereof: "That all male citizens over the age of twenty-one years, and all female citizens over the age of eighteen years, who are declared to be blind in the manner hereinafter set forth, and who come within the provisions of this act shall receive as a benefit a sum not less than one hundred fifty dollars (\$150.00) per annum, and not more than three hundred dollars (\$300.00) per annum, payable quarterly, upon warrants properly drawn upon the treasurer of the county of which such citizen or citizens are residents. The board of supervisors of the county shall at their discretion determine what sum between one hundred fifty dollars and three hundred shall go to such citizen or citizens."

SEC. 2. By striking out all of line two after the word "institution" of section 2722-k of the supplemental supplement to the code, 1915, and all prior to the comma in the third line of said section and substituting in lieu thereof the words "in this state."

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Also:

Your committee on county and township affairs, to whom was referred House File No. 343, a bill for an act to repeal section 308, supplemental supplement to the code, 1915, relating to compensation of county attorneys, and for enacting a substitute therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Also:

Your committee on county and township affairs, to whom was referred Senate File No. 428, a bill for an act to amend Section two hundred fifty-four-a20 (254-a20), supplement to the Code, 1913, relating to financial aid for widowed mothers, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Also:

Your committee on county and township affairs, to whom was referred Senate File No. 416, a bill for an act to provide for the appointment of a special county auditor by the Board of Supervisors in counties with a population of more than forty thousand (40,000) subject to the approval of the state auditor and prescribing the duties of the said special auditor and fixing the salary thereof, 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:

Amend by striking out all thereof following the enacting clause and adding in lieu of the portion struck out the following:

SECTION 1. That in counties having a population of Forty Thousand (40,000) or more, the board of supervisors may, at any regular meeting thereof, appoint a special auditor whose duties are hereinafter set out. Within five days of the appointment of such special auditor the county auditor shall notify the auditor of state of such appointment in writing, stating the post office address of such appointee, the date of said appointment and the date the same is to take effect, which last shall not be less than ten days after the date of said appointment. Written objections to such appointment may be filed with either the county auditor or the auditor of state and any such objections shall be transcribed from the officer receiving the same to the other, forthwith, and the nature of the objections and the names of the objectors shall be made known to each member of the board of supervisors by the county auditor at once. If, by reason of such objections, a special meeting of the said board of supervisors is called as provided by statute, the said board of supervisors may rescind such appointment and proceed as before to make another appointment as though the first had not been made, which action shall be transcribed to the auditor of state at once by the county auditor. All objections filed with the auditor of state either directly or by transcript from the county auditor shall be considered by the said auditor of state and especially such objections as raise the fitness of the said appointee on the grounds of lack of ability as an accountant, business experience or of any physical defect that unfits the said appointee for the position and he shall make such investigation as will satisfy him as to the advisability of confirming such appointment or rejecting the same. Should no objections be filed with or transcribed to him by the county auditor he shall confirm such appointment within ten days. When objections have been filed with the auditor of state or transcribed to him by the county auditor, he may, should he so desire, call an open hearing on such objections, of which he shall notify the objectors and the county auditor, who shall in turn notify each member of the board of supervisors, said call to state the place and date or time of such hearing and should it become necessary or advisable the auditor of state may adjourn such hearing and notice of same shall be given as hereinbefore set out for the original open hearing. Such adjournment may be had from time to time; but in no case shall there be more than fifteen days between such adjournments. After due consideration, when objections have been filed with the auditor of state or transcribed to him by the county auditor, he may affirm or refuse to affirm such appointment. In either case he shall forthwith notify the county auditor, who shall in turn, forthwith, notify each member of the board of supervisors, and if such affirmation is refused the notice from the county auditor to the members of the board of supervisors shall also fix a place and time for a meeting of the board of supervisors not less than ten days nor more than fifteen days from the date of said notice from the auditor of state, at which meeting the appointment may be again taken

up as in the first instance. This method may be continued until a suitable person is finally appointed and his appointment confirmed by the auditor of state. The appointee shall be a person with reasonable business experience, a reasonable knowledge of accounting and of accounts in the several county offices and also a reasonable knowledge of the law pertaining to county offices and county affairs. It is not necessary that the appointee shall be a resident of the county prior to the appointment and confirmation, but should such appointment be made, confirmed and accepted, such person shall, without unreasonable delay, make the county seat of such county his residence.

SEC. 2. The special auditor shall be furnished with suitable office room, office furniture, the necessary books and stationery as well as a suitable place for stock.

SEC. 3. It shall be the duty of the special auditor to be present at and keep the minutes of the board of supervisors, except such proceedings as are recorded in the drainage record only, being those after the district has been established. He shall furnish a copy to each of the official newspapers of such proceedings, signed by the chairman and attested by said special auditor, together with such other matter, such as reports, etc., that is now, or may hereafter, be required by law to be published with or as a part of the proceedings of the board of supervisors. Such copy shall be furnished to the said newspapers not more than four working days after the adjournment of the said board of supervisors, except when the said board adjourns from day to day or to meet in adjourned session within one week, in which instance he shall furnish such copy not more than four working days after the last of such adjournments. It shall also be his duty to see that such minutes are published without unreasonable delay under any rule that may be laid down by the board of supervisors and that said minutes are published without padding, nor shall such matter be abbreviated or abridged so that they are not understandable by the ordinary reader. He shall require a copy of such proceedings as they appeared in said newspaper to be filed with the claim for the printing of same, and he shall measure and figure the amount due for the publication thereof, as well as for all other publishing and printing, for which the county is to pay; including all official notices, election notices, publication of ballot, the printing of the ballots, publishing of advertisements, etc., so as to determine the correctness of the claim therefor; using as his guide in the matter of publishing and computing, the pamphlet issued by the State on County Printing. Copies of each of the above for which claim is filed shall be attached to, or accompany, the claim against the county.

SEC. 4. It shall be the duty of the special auditor to purchase, by requisition system, all books, blanks, records, vouchers, receipts, etc., and to see that the same conform to the forms prescribed by the auditor of state agreeable to section one hundred-e of the supplement to the code, 1913. To purchase all miscellaneous office supplies such as are in common use in the several county offices, such as typewriter ribbons, paper, carbon, pencils, pens, inks, rubber bands, erasers, etc., and to keep a stock of such supplies compatible with the fluctuation of prices thereof and the

amount liable to be called for; to issue the same in any reasonable number or amount on written requisition to any officer entitled thereto, keeping a record of purchases and distribution, making a continuous invoice of each of such articles. If, to save money, the purchase of an unusual number or quantity of any of such article or articles is contemplated, he shall consult with and have the sanction of at least one member of the board of supervisors. He may make reasonable expenditure of money in the discharge of his official duty or in the purchase of books, blanks and supplies for the county, subject, however, to the approval and ratification of the board of supervisors.

SEC. 5. He shall, upon request of any member of the board of supervisors, obtain quotations on road and bridge material and supplies, including machinery and repairs; or on any other machine or device for office or other purposes, or any other article or commodity used by counties, and upon an order of the board of supervisors, he shall conduct the correspondence relative thereto and make such purchases thereof as ordered by them.

SEC. 6. He shall have charge of the accounts of the county against any inmate of any state or county institution, or the person liable for the support of such person. He shall gather such data in each instance, when possible, to determine the legal residence, the means of support, if any, or the person liable for support, if any, the relationship of such person, post office address and any other information possible to gather, which may render aid in the matter of collecting for such support, or of placing the burden of such support upon another county wherein the other county is legally liable therefor or for placing the burden of such support upon the state where the state should take over such burden. He shall render bills for the support of such persons and see that the same are paid to the county treasurer where collection is possible, and it shall be his special duty to endeavor to make such collection from a guardian or executor or other person in charge of money or other property belonging to, or to which they become heir, subject to the orders of the board of supervisors. When such collection shall have been made, to give proper credit therefor. To gather data relative to poor persons attempting to gain a residence in, or obtain aid in any form from the county, and to determine as to the legal status of such person or persons and when it is found that they should be supported by another county, to notify such person or persons to remove from the county and also to notify the county liable for such support as provided by law.

SEC. 7. He shall number all claims against the county as prescribed by law and list the same, and he shall also keep an expenditure docket. He shall make such reports and at such times as may be required of him by the auditor of state or the board of supervisors. He shall also, without request, make a monthly statement to the board of supervisors showing the expenditures of the month in each of the several funds under the control of the said board together with a comparative statement of expenditures for the corresponding month for the two years previous thereto. A copy thereof to be filed with the county auditor and each member of the board of supervisors.

SEC. 8. It shall be the duty of the special auditor to investigate each claim filed against the county before being acted upon by the board of supervisors, such investigation to include extensions, computations and additions, to determine also whether the claim is a duplicate of some former claim or any part thereof, to determine, if possible, whether the claim is a legal claim against the county and for this purpose he may require the claimant to set out the section in the statutes providing for the payment of such claim, also whether it be sworn to as prescribed by statute or by any order of the board of supervisors. To show on supply claims who ordered and received the goods, the disposition of same or by whom used or stored. The board of supervisors may make any other rule or rules they may deem advisable with which he shall comply. He shall note any error in or duplication of claim, but he shall not alter any claim except at the request of the claimant. The amount to be allowed to rest with the board of supervisors.

SEC. 9. The county auditor shall be and is hereby relieved of any duplication of the above work, but is required to furnish to the said special auditor the data in his office necessary for the said special auditor to properly keep up his records, including a list of amounts, allowed on the several claims and the warrants issued in payment thereof, showing the fund upon which drawn, the number and amount as well as to whom drawn. Also any and all other information in his office necessary for the said special auditor to have in order to do his work according to law.

SEC. 10. The term of office of the special auditor shall be two years, except that the term of the first special auditor appointed in the county shall expire on the second secular day of January of the first even numbered year following such appointment and his successor should be appointed prior to the expiration of such term. He may be removed by the board of supervisors or the auditor of state prior to the expiration of his term of office for cause.

SEC. 11. The board of supervisors may fix the salary of the special auditor at a sum not less than seventy-five per cent nor more than ninety per cent of that of the county auditor. Said salary to be paid monthly at the end of each month.

SEC. 12. The board of supervisors shall require an official bond in a sum of not less than two thousand dollars (\$2000) and being the same in form as those furnished by county officers and their deputies. The said bond to be approved by the board of supervisors and filed with the county auditor.

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also

Your committee on county and township affairs, to whom was referred Senate File No. 332, a bill for an act providing for the erection of a Detention or Contagious Disease Hospital and the issuance of bonds covering the costs thereof, and providing for a tax levy to pay such bonds

and the interest thereon, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Senator Kingland, 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, a resolution proposing an amendment to the constitution of the State of Iowa authorizing cities to acquire by gift, purchase or condemnation, lands for establishing, laying out, widening, enlarging, extending, and maintaining memorial or art grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public buildings, and reservations in and about and along and leading to any or all of the same; with the right after the establishment, laying out and completion of such improvement to lease or convey any excess thus acquired and not necessary for such improvement, with or without reservations as to the use thereof; and authorizing the issuance of bonds to supply the funds in whole or in part to pay for the excess so appropriated or otherwise acquired, beg leave to report they have had the same under consideration and recommend the same be reported back without recommendation.

T. A. KINGLAND, *Chairman*.

Ordered passed on file.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 27th day of March, 1919, sent to the governor for his approval, Senate File No. 297, a bill for an act to amend Section Four Hundred Sixty-nine (469) Supplement to the Code, 1913, relating to the compensation and mileage allowed to Boards of Supervisors.

Also:

Senate File No. 60, a bill for an act to amend Chapter three hundred seventy (370) and to repeal Section two (2) of chapter three hundred forty-nine (349), acts of the Thirty-Seventh (37th) General Assembly, relating to the appointment and compensation of state agents by the Board of Control.

Also:

Senate File No. 87, a bill for an act to amend section seven hundred seventy (770) of the Code, relating to construction of viaducts over or under railroads.

Also:

Senate File No. 122, a bill for an act to amend the law as it appears in section two hundred fifty-four-a20 (254-a20) supplement to the code, 1913, relating to financial aid for widowed mothers.

Also:

Senate File No. 97, a bill for an act to amend the law as it appears in section forty-nine hundred and seventy (4970) of the code, relating to the transportation of live stock by common carriers.

Also:

Senate File No. 339, a bill for an act to repeal section 2, chapter 168, acts of the Sixteenth General Assembly, and section 2640-a, Supplement to the code, 1913, and to authorize and direct the state Board of Education to establish and maintain a Department of Homeopathic Materia Medica and Therapeutics in the College of Medicine of the State University of Iowa.

Also:

Senate Joint Resolution No. 7, 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.

EUGENE SCHAFFTER, *Chairman.*

Passed on file.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 the following bills:

House File No. 170, a bill for an act to amend section five hundred twenty (520), supplement to the code, 1913, and section five hundred twenty-nine (529) of the code, and to repeal section five hundred thirty (530) and section five hundred thirty-one (531) of the code and to enact substitutes therefor, relating to the duties and compensation of coroners, witnesses and jurors in inquests.

Also:

House File No. 118, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-a twenty-one (1989-a21) of the supplement to the code, 1913, relating to obstructions to levees, ditches and drains; the relaying of tile drains; removal of obstructions therein;

the condemnation of right of way to remove cause of obstructions; the right of appeal for award as to damages for condemnation; and the payment of damages for the cost of said proceedings and for repairs so made.

Also:

House File No. 516, a bill for an act granting additional powers to certain cities organized under the provisions of chapter fourteen-c (14-c), title V, sections ten hundred fifty-six-a seventeen (1056-a17) to ten hundred fifty-six-a sixty-five (1056-a65), inclusive, supplement to the code, 1913, and amendments thereto, in relation to selling or donating for county seat purposes, lands belonging to said cities.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

### THIRD READING OF BILLS.

On motion of Senator Parker, House File No. 535, a bill for an act to confer additional power on cities now or hereafter having a population of eighty-five (85,000) thousand inhabitants or over, including cities acting under the commission plan of government, relating to municipal court buildings, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 36.

Adams	Foskett	Reed
Anderson	Fralley	Rule
Arney	Greenell	Schaffter
Balkema	Hale	Scott
Ball	Haskell	Shane
Buser	Horchem	Stephenson
Byington	Kimball	Stoddard
Cessna	Mitchell	Taylor
Coburn	Newberry	Thompson
Edwards	Parker	Van Alstine
Evans	Proudfoot	Whitmore
Fellows	Ratcliff	Wilson

Nays, none.



## Absent or not voting, 14.

Brookhart	Kingland	Price
Broxam	LeCompte	Rainbow
Foster	Meredith	Smith
Holdoegel	Nelson	White
Kimberly	Pitt	

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 Parker, House File No. 389, a bill for an act to amend the law as it appears in section 694-c42 of the supplemental supplement to the code, 1915, relating to the pay of jurors in municipal courts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

## Ayes, 34.

Adams	Frailey	Reed
Anderson	Greenell	Rule
Arney	Hale	Scott
Balkema	Haskell	Shane
Ball	Horchem	Stephenson
Buser	Kingland	Stoddard
Byington	Mitchell	Taylor
Cessna	Newberry	Thompson
Coburn	Parker	Van Alstine
Edwards	Proudfoot	Whitmore
Evans	Ratcliff	Wilson
Foskett		

## Nays, none.

## Absent or not voting, 16.

Brookhart	Kimberly	Price
Broxam	LeCompte	Rainbow
Fellows	Meredith	Schaffer
Foster	Nelson	Smith
Holdoegel	Pitt	White
Kimball		

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 Haskell, Senate File No. 460, a bill for an act to amend section four hundred seventeen (417) of the Code, 1897, relating to the formation of supervisor districts and election of supervisors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Parker offered the following amendment and moved its adoption:

Amend by adding the words "in each supervisorial district" the following word "cast" in line 14 of Section 1.

Senator Parker raised the point of order that Senate File No. 460 being similar in subject matter to Senate File No. 155 which was rejected by the Senate, cannot again be brought before the Senate at this session.

The president held that inasmuch as a motion to reconsider had been filed on Senate File No. 155, he would reserve his ruling until he could compare the two bills.

#### SPECIAL ORDER.

Senator Kimball moved that Senate Files Nos. 460 and 155 be made a special order for Tuesday, April 1st, at 11:00 a. m.

Senator Wilson raised the point of order that the motion was out of order pending ruling of the chair on the matter.

The president held the point of order well taken.

#### THIRD READING OF BILLS.

On motion of Senator Stoddard, House File No. 190, a bill for an act to amend Section two thousand one hundred fifty-seven-g (2157-g) Supplement to the Code, 1913, relating to persons entitled to transportation on common carriers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking out of line 5 the word and figures "figures (1)" and inserting in lieu thereof the following: "letter (1)".

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking out the period at the end of section 1 and substituting a comma therefor, and by adding the words "except state agents."

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was

Ayes, 35.

Adams	Hale	Rule
Arney	Haskell	Schaffter
Balkema	Hoidoegel	Scott
Ball	Horchem	Shane
Buser	Kimball	Stephenson
Cessna	Kingland	Stoddard
Coburn	Mitchell	Taylor
Edwards	Newberry	Thompson
Evans	Parker	Van Alstine
Fellows	Pitt	Whitmore
Fralley	Proudfoot	Wilson
Greenell	Reed	

Nays, 3.

Anderson	Byington	Ratcliff
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Absent or not voting, 12.

Brookhart	Kimberly	Price
Broxam	LeCompte	Rainbow
Foster	Meredith	Smith
Fralley	Nelson	White

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

#### HOUSE AMENDMENTS CONCURRED IN.

Senator Horchem called up Senate File No. 316 amended by the House and moved that the Senate concur in the following House amendment:

Amend by striking out of line 11 of said bill the words "or second".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 34.

Adams	Hale	Rule
Anderson	Horchem	Schaffter
Arney	Kimball	Scott
Balkema	Kingland	Shane
Ball	Mitchell	Stephenson
Byington	Newberry	Stoddard
Cessna	Parker	Taylor
Coburn	Pitt	Thompson
Evans	Proudfoot	Van Alstine
Fellows	Ratcliff	Whitmore
Foskett	Reed	Wilson
Frailey		

Nays, none.

Absent or not voting, 16.

Brookhart	Haskell	Nelson
Broxam	Holdoegel	Price
Buser	Kimberly	Rainbow
Edwards	LeCompte	Smith
Foster	Meredith	White
Greenell		

The House amendment, having received a constitutional majority, was declared to have been concurred in by the Senate.

#### THIRD READING OF BILLS.

On motion of Senator Anderson House File No. 479, a bill for an act authorizing the Governor of the State of Iowa to issue patent conveying to Joseph B. Hill, the following described lands situated and lying in Greene County, State of Iowa, to-wit: The Southeast Quarter ( $SE\frac{1}{4}$ ) of the Northwest Quarter ( $NW\frac{1}{4}$ ) of Section Seventeen (17), Township Eighty-five (85) North Range Thirty (30), West of the Fifth (5th) Principal Meridian and containing forty (40) acres, more or less, according to the government survey, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Anderson 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 vote was:

## Ayes, 37.

Adams	Greenell	Rule
Anderson	Hale	Schaffter
Arney	Haskell	Scott
Balkema	Horchem	Shane
Ball	Kimball	Stephenson
Buser	Kingland	Stoddard
Byington	Mitchell	Taylor
Cessna	Newberry	Thompson
Coburn	Parker	Van Alstine
Edwards	Proudfoot	White
Evans	Ratcliff	Whitmore
Fellows	Reed	Wilson
Frailey		

## Nays, none.

## Absent or not voting, 13.

Brookhart	Kimberly	Pitt
Broxam	Le Compte	Price
Feskett	Meredith	Rainbow
Foster	Nelson	Smith
Hoidoegel		

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 House File No. 466, a bill for an act authorizing and directing the Governor and Secretary of State to execute and deliver to Homer Clark a patent conveying Government Lot 2 of Section 31, Township 77 North, Range 20 West 5th P. M., in Marion County, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

## Ayes, 35.

Adams	Fellows	Newberry
Anderson	Frailey	Parker
Arney	Greenell	Proudfoot
Balkema	Hale	Ratcliffe
Ball	Haskell	Reed
Buser	Horchem	Rule
Coburn	Kimball	Schaffter
Edwards	Kingland	Scott
Evans	Mitchell	Shane

Stephenson  
Stoddard  
Taylor

Thompson  
Van Alstine  
White

Whitmore  
Wilson

Nays, none.

Absent or not voting, 15.

Brookhart  
Broxam  
Byington  
Cessna  
Coskett

Foster  
Holdoegel  
Kimberly  
LeCompte  
Meredith

Nelson  
Pitt  
Price  
Rainbow  
Smith

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 Buser, House File No. 458, a bill for an act to legalize action of the Board of Supervisors of Louisa County, Iowa, in purchasing pumping machinery and equipment in levee district number eight (8) and levee district number eleven (11) in said county, and to legalize the levy of taxes therein, and the issuance of 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 Buser 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 vote was:

Ayes, 37.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Buser  
Byington  
Cessna  
Coburn  
Edwards  
Evans  
Fellows  
Frailey

Greenell  
Hale  
Haskell  
Holdoegel  
Horchem  
Kimball  
Kingland  
LeCompte  
Mitchell  
Newberry  
Parker  
Proudfoot

Ratcliff  
Reed  
Rule  
Schaffter  
Shane  
Stephenson  
Stoddard  
Taylor  
Thompson  
Van Alstine  
White  
Whitmore

Nays, none.

Absent or not voting, 13.

Brookhart	Meredith	Rainbow
Broxam	Nelson	Scott
Foskett	Pitt	Smith
Foster	Price	Wilson
Kimberly		

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 Shane, House File No. 266, a bill for an act to amend section seven hundred seventy-seven (777), supplement to the code, 1913, relating to temporary sidewalks in cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Shane 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 vote was:

Ayes, 33.

Adams	Greenell	Reed
Anderson	Hale	Rule
Arney	Haskell	Schaffter
Balkema	Holdoegel	Shane
Buser	Horchem	Stephenson
Byington	Kimball	Taylor
Coburn	Mitchell	Thompson
Edwards	Newberry	Van Alstine
Evans	Parker	White
Fellows	Proudfoot	Whitmore
Frailey	Ratcliff	Wilson

Nays, none.

Absent or not voting, 17.

Ball	Kimberly	Price
Brookhart	Kingland	Rainbow
Broxam	LeCompte	Scott
Cessna	Meredith	Smith
Foskett	Nelson	Stoddard
Foster	Pitt	

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 Evans, House File No. 470, a bill for an act to amend the law as it appears in Section one thousand seventy-six of Chapter Two, of the Supplemental Supplement to the Code, 1915, by providing for the consolidation of voting precincts into registration districts in all cities in which registration is required, including cities under special charter, at any general election and providing a method of such consolidation, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 36.

Adams	Fralley	Rule
Anderson	Greenell	Schaffter
Balkema	Hale	Scott
Ball	Holdoegel	Shane
Buser	Horchem	Stephenson
Byington	Kimball	Stoddard
Cessna	Kingland	Taylor
Coburn	Newberry	Thompson
Edwards	Parker	Van Alstine
Evans	Proudfoot	White
Fellows	Ratcliff	Whitmore
Foskett	Reed	Wilson

Nays, none.

Absent or not voting, 14.

Arney	Kimberly	Pitt
Brookhart	LeCompte	Price
Broxam	Meredith	Rainbow
Foster	Mitchell	Smith
Haskell	Nelson	

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, House File No. 471, a bill for an act legalizing certain acknowledgments taken in countries other than the United States, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:



Amend House File 471, by striking out Section three (3), publication clause.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 34.

Adams	Hale	Rule
Anderson	Haskell	Schaffter
Arney	Holdoegel	Shane
Balkema	Horchem	Stephenson
Buser	Kimball	Stoddard
Byington	Mitchell	Taylor
Coburn	Newberry	Thompson
Edwards	Parker	Van Alstine
Evans	Proudford	White
Fellows	Ratcliff	Whitmore
Fralley	Reed	Wilson
Greenell		

Nays, none.

Absent or not voting, 16.

Ball	Kimberly	Pitt
Brookhart	Kingland	Price
Broxam	LeCompte	Rainbow
Cessna	Meredith	Scott
Foskett	Nelson	Smith
Foster		

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 Adams, House File No. 453, a bill for an act to legalize the acts and proceedings of the Board of Supervisors and officers of the county of Palo Alto, State of Iowa, in relation to drainage district number ninety-two (92), within said county, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

SECTION 1. That section thirteen hundred four (1304), of the Supplement to the Code, 1913, be amended by inserting after the word "estate" in the 15th line of subdivision two thereof the following: "where the same is not platted in town lots"; and by striking out in line eighteen (18) of said subdivision the words: "Shall not be taxed" and adding to said subdivision the following: "when, however, such real estate shall be in platted lots, there shall not be exempt to exceed twenty-five thousand dollars (\$25,000.00) of the assessed value thereof".

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 30.

Adams	Haskell	Schaffter
Anderson	Holdoegel	Shane
Arney	Horchem	Stephenson
Buser	Kimball	Stoddard
Byington	Kingland	Taylor
Edwards	Newberry	Thompson
Evans	Proudfoot	Van Alstine
Fellows	Ratcliff	White
Greenell	Reed	Whitmore
Hale	Rule	Wilson

Nays, none.

Absent or not voting, 20.

Balkema	Foster	Parker
Ball	Fralley	Pitt
Brookhart	Kimberly	Price
Broxam	LeCompte	Rainbow
Cessna	Meredith	Scott
Coburn	Mitchell	Smith
Foskett	Nelson	

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 Van Alstine, House File No. 268, a bill for an act to amend section twenty-two hundred and forty-two (2242) of the supplement to the code, 1913, relating to the management of the county home or county farm and providing for the publication of a financial statement by the board of supervisors relating to such county farm or county home, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Alstine moved that the rules be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

## Ayes, 17.

Adams	Evans	Proudfoot
Anderson	Fellows	Reed
Arney	Foskett	Shane
Byington	Hale	Stephenson
Coburn	Kingland	Stoddard
Edwards	Parker	

## Nays, 12.

Buser	Newberry	Taylor
Cessna	Ratcliff	Thompson
Frailey	Rule	Van Alstine
Holdoegel	Schaffter	Whitmore

## Absent or not voting, 21.

Balkema	Horchem	Pitt
Ball	Kimball	Price
Brookhart	Kimberly	Rainbow
Broxam	LeCompte	Scott
Foster	Meredith	Smith
Greenell	Mitchell	White
Haskell	Nelson	Wilson

So the bill, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

On motion of Senator Kimball, Senate File No. 474, a bill for an act requiring the Board of Supervisors to locate a highway extending from any highway located in a city and returning to the same by the same or different way, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kimball moved that the rules be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

## Ayes, 32.

Adams	Foskett	Proudfoot
Anderson	Frailey	Ratcliff
Balkema	Greenell	Reed
Buser	Holdoegel	Rule
Byington	Horchem	Schaffter
Coburn	Kimball	Scott
Edwards	Kingland	Shane
Evans	Newberry	Stephenson
Fellows	Parker	Stoddard

Thompson  
Van Alstine

White  
Whitmore

Wilson

Nays, 1.

Taylor

Absent or not voting, 17.

Arney  
Ball  
Brookhart  
Broxam  
Cessna  
Foster

Hale  
Haskell  
Kimberly  
LeCompte  
Meredith  
Mitchell

Nelson  
Pitt  
Price  
Rainbow  
Smith

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

By unanimous consent, on request of Senator Kimball, the words "a highway" were stricken from line 1 of the title and the word "highways" was inserted in lieu thereof.

The title as amended was agreed to.

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed House Files Nos. 118, 170 and 516.

Senator Parker was called to the chair at 10:50 a. m.

#### THIRD READING OF BILLS.

On motion of Senator Kingland House File No. 205, a bill for an act to amend the law as it appears in Chapter one hundred thirty-one (131), Laws of the Thirty-seventh (37th) General Assembly, relative to levying taxes by cities and towns for the purpose of equipping fire departments, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 33.

Adams	Hale	Reed
Anderson	Holdoegel	Rule
Balkema	Horchem	Schaffter
Ball	Kimball	Scott
Buser	Kingland	Stephenson
Byington	LeCompte	Stoddard
Coburn	Mitchell	Thompson
Evans	Newberry	Van Alstine
Fellows	Parker	White
Foskett	Proudfoot	Whitmore
Frailley	Ratcliff	Wilson

Nays, none.

Absent or not voting, 17.

Arney	Greenell	Price
Brookhart	Haskell	Rainbow
Hroxam	Kimberly	Shane
Cessna	Meredith	Smith
Edwards	Nelson	Taylor
Foster	Pitt	

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

President Moore resumed the chair at 11:35.

On motion of Senator Foskett, Senate File No. 494, a bill for an act making an appropriation for the Iowa School for the Deaf, a committee bill, was taken up and considered.

The bill was read for information.

Senator Foskett moved that the rules be suspended, the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 31.

Adams	Hale	Reed
Anderson	Holdoegel	Rule
Balkema	Horchem	Schaffter
Ball	Kimball	Scott
Buser	LeCompte	Shane
Byington	Mitchell	Stoddard
Coburn	Newberry	Taylor
Evans	Parker	Van Alstine
Fellows	Proudfoot	Whitmore
Foskett	Ratcliff	Wilson
Greenell		

Nays, none.

Absent or not voting, 19.

Arney	Haskell	Price
Brookhart	Kimberly	Rainbow
Broxam	Kingland	Smith
Cessna	Meredith	Stephenson
Edwards	Nelson	Thompson
Foster	Pitt	White
Fralley		

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

SENATE FILE NO. 482 WITHDRAWN.

By unanimous consent, on request of Senator Coburn, Senate File No. 482 was withdrawn from further consideration.

THIRD READING OF BILLS.

On motion of Senator Holdoegel, Senate File No. 212, a bill for an act to amend section two thousand five hundred thirty-eight-w-three (2538-w-3) and Section two-thousand five-hundred thirty-eight-w seven (2538-w7) of the Supplement of the Code, 1913, in regard to the manufacture and distribution of hog cholera serum, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. That Section Twenty-five hundred thirty-eight-w3 (2538-w3) of the Supplemental Supplement to the Code, 1915, be and the same is hereby repealed and the following is enacted in lieu thereof:

The Commission of Animal Health shall have the power to make such rules and regulations governing the manufacture of serum and other biological products for use on domestic animals in laboratories located within the state and doing an intra-state business, as it deems necessary to maintain the potency and purity of their products.

It shall have the right and it shall be their duty through a duly appointed inspector to make such inspection of commercial plants and of all distributing agencies representing serum manufacturers located outside of the state doing business under a state permit as will insure a full compliance with the rules and regulations made to govern same. A

person, firm, company or corporation, before selling or offering for sale within this state any anti-hog-cholera serum shall first make application to the Commission of Animal Health for permission to sell the same in the state.

Said application shall give the name of said person, firm, company or corporation with its place or places of business. Such other information and samples of serum and other biological products shall be furnished whenever required by the Commission of Animal Health.

If the Commission of Animal Health is satisfied that said person, firm, company or corporation is fit, proper and reliable, they shall issue to said person, firm, company or corporation a permit to sell said serum within the state for a period of one calendar year or part thereof, for which permit they shall collect the sum of Fifteen (\$15.00) dollars which money shall be deposited in the state treasury for the use of the Commission of Animal Health. Said permit may at any time be cancelled or suspended by said Commission of Animal Health when it becomes evident to them that the terms on which it was issued are being violated. No anti-hog-cholera serum or other biological products shall be sold or offered for sale or use or be used in this state which have not been produced at a plant holding a valid United States Government license for the manufacture and sale of anti-hog-cholera serum and biological products at the time said anti-hog-cholera serum and other biological products were made.

A permit shall be granted a distributing agency for the distribution of anti-hog-cholera serum and hog-cholera virus by the Commission of Animal Health on the same terms and subject to the same provisions as govern the granting of original permits.

Sec. 2. That Section Twenty-five hundred thirty-eight-w4 (2538-w4) Supplement to the Code, 1913, and Section Twenty-five hundred thirty-eight-w5 (2538-w5) of the Supplemental Supplement to the Code, 1915, be and the same is hereby repealed, and the following enacted in lieu thereof:

No person, firm, company or corporation shall distribute or sell any portion of virulent blood or virus from cholera-infected hogs except to holders of permits to use the same and shall report in writing to the Commission of Animal Health and under such regulations as they may issue.

And no person shall use any portion of virulent blood or virus from cholera-infected hogs unless he has received special instructions in reference to such use of such virulent blood or virus which is satisfactory to the Commission of Animal Health and said Commission has issued a permit to such person, which permit shall be issued by such Commission of Animal Health to any person showing by examination or otherwise, under such rules as the Commission may adopt that he has received instruction in the use of such virus as to make him qualified to safely use the same, and such permit shall be cancelled by said commission for cause which said commission may deem sufficient; but all virulent blood or

virus used by such persons shall be reported to the Commission of Animal Health in such manners as they may require. Any person, firm, company or corporation violating the terms herein stated shall be punished the same as provided for in Section four (4) of this Act.

SEC. 3. That Section Twenty-five hundred thirty-eight-w6 (2538-w6) of the Supplement to the Code, 1913, be and the same is hereby repealed and the following enacted in lieu thereof:

The Commission of Animal Health or their duly qualified deputies or assistants are hereby authorized to seize for examination, samples of any serum and other biological products and virus used and kept for use or for sale within this state, at any time or at any place, under the police regulations in force in this state. The Commission of Animal Health shall have power to condemn or destroy any serum or virus which they deem to be unsafe.

SEC. 4. That Section Twenty-five hundred thirty-eight-w7 (2538-w7) of the Supplement to the Code, 1913, be and the same is hereby repealed and the following is enacted in lieu thereof:

Violation—Penalty: After the taking effect of this act any person, firm, company or corporation offering or keeping for sale in this state any anti-hog-cholera serum or other biological products or virus in violation of the provisions of this act, or offering or keeping for sale any anti-hog-cholera serum and other biological products which are impotent, contaminated or harmful, shall be fined in a sum of not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars.

In default of the payment of such fine the individual, or, if it be a company, firm or corporation offending, the managing agent or executive officer of such firm, company or corporation within the state, shall be imprisoned in the county jail not less than thirty days nor more than one hundred and fifty (150) days.

SEC. 5. That Section Twenty-five hundred thirty-eight-w8 (2538-w8) Supplemental Supplement to the Code, 1915, be and the same is hereby repealed, and the following is enacted in lieu thereof:

After the taking effect of this act any person, firm, company or corporation wilfully using or keeping for use in this state any anti-hog-cholera serum and other biological products other than those manufactured at the State Laboratory or a plant operating under valid United States Veterinary License or those sold by a holder of a valid permit issued by the Commission of Animal Health or removing, defacing, or concealing the labels of the bottles or packages of any anti-hog-cholera serum or virus or changing the contents from the original container except for immediate use shall be punished as provided for in Section Four (4) of this Act.

SEC. 6. That Section Twenty-five hundred thirty-eight-w9 (2538-w9) and Section Twenty-five hundred thirty-eight-w10 (2538-w10) and Section Twenty-five hundred thirty-eight-w11 (2538-w11) and Section Twenty-five



hundred thirty-eight-w12 (2538-w12) of the Supplement to the Code, 1913, be and the same are hereby repealed and the following is enacted in lieu thereof:

No part of this act shall apply to the manufacture of anti-hog-cholera serum in the State Biological Laboratory or by the United States Department of Agriculture.

And further amend by striking out the title and inserting the following in lieu thereof:

A bill for an act to repeal Sections Twenty-five hundred thirty-eight-w3 (2538-w3) Supplemental Supplement to the Code, 1915, Twenty-five hundred thirty-eight-w4 (2538-w4) Supplement to the Code, 1913, Twenty-five hundred thirty-eight-w5 (2538-w5) of the Supplemental Supplement to the Code, 1915, and Sections Twenty-five hundred thirty-eight-w6 (2538-w6), Twenty-five hundred thirty-eight-w7 (2538-w7) of the Supplement to the Code, 1913, and Sections Twenty-five hundred and thirty-eight-w8 (2538-w8) and Twenty-five hundred thirty-eight-w12 (2538-w12) of the Supplemental Supplement to the Code, 1915, and Sections Twenty-five hundred thirty-eight-w9 (2538-w9), Twenty-five hundred thirty-eight-w10 (2538-w10) and Twenty-five hundred thirty-eight-w11 (2538-w11) of the Supplement to the Code, 1913, and to enact substitutes therefor regulating and licensing the manufacture, sale and use of Anti-hog-cholera serum and Hog-cholera virus and providing penalties for violation of the provisions of this act.

Senator Holdoegel offered the following amendment, previously filed, and moved its adoption:

Amend Section 6 by inserting after the parenthesis including the figures (2538-w11) the following: "Supplement to the Code, 1913".

And to strike out the figures "1913" in line five of Section 6, and insert in lieu thereof the figures "1915".

The amendment was adopted.

Senator Holdoegel moved 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 vote was:

Ayes, 32.

Adams	Foskett	LeCompte
Anderson	Fralley	Mitchell
Balkema	Greenell	Newberry
Ball	Hale	Parker
Buser	Holdoegel	Proudfoot
Byington	Horchem	Reed
Coburn	Kimball	Rule
Evans	Kingland	Schaffter

Scott  
Shane  
Stephenson

Stoddard  
Taylor  
Van Alstine

Whitmore  
Wilson

Nays, none.

Absent or not voting, 18.

Arney  
Brookhart  
Broxam  
Cessna  
Edwards  
Fellows

Foster  
Haskell  
Kimberly  
Meredith  
Nelson  
Pitt

Price  
Rainbow  
Ratcliff  
Smith  
Thompson  
White

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 Schaffter, House File No. 414, a bill for an act to amend the law as it appears in section one thousand nine hundred eighty-nine a nine (1989-a-9), supplement to the code, 1913, as amended by chapter two hundred sixty-four (264) of the acts of the 37th General Assembly, by providing for keeping a record of holders of drainage warrants, and for notifying such holders by the county treasurer of funds with which to pay such warrants, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 35.

Adams  
Anderson  
Balkema  
Ball  
Buser  
Byington  
Coburn  
Evans  
Fellows  
Foskett  
Frailey  
Greenell

Hale  
Holdoegel  
Hochem  
Kimball  
Kingland  
Mitchell  
Newberry  
Parker  
Proudfoot  
Ratcliff  
Reed  
Rule

Schaffter  
Scott  
Shane  
Smith  
Stephenson  
Stoddard  
Taylor  
Thompson  
Van Alstine  
White  
Whitmore

Nays, none.

Absent or not voting, 15.

Arney	Fester	Pitt
Brookhart	Haskell	Price
Broxam	Kimberly	Rainbow
Cessna	LeCompte	Wilson
Edwards	Meredith	Nelson

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

#### SENATE FILES WITHDRAWN.

By unanimous consent, Senator White withdrew Senate File No. 199 from further consideration.

By unanimous consent Senator Foskett withdrew Senate File No. 187 from further consideration.

#### THIRD READING OF BILLS.

On motion of Senator Byington, Senate File No. 255, a bill for an act to amend section fifteen hundred twenty-seven-o of the Supplement to the Code, 1913, relating to the transmission of electric light and power, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Byington offered the following amendment and moved its adoption:

Amend by striking out in line 4 of section 1 the word "fifth" and substituting in lieu thereof the word "fourth".

The amendment was adopted.

Senator Byington moved that the rules be suspended, and the bill be considered engrossed and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass." the vote was:

Ayes, 34.

Adams	Fellows	Kingland
Anderson	Foskett	Mitchell
Balkema	Frailey	Newberry
Ball	Greenell	Parker
Buser	Hale	Proudfoot
Byington	Holdoegel	Ratcliff
Coburn	Horchem	Reed
Evans	Kimball	Rule

Schaffter  
Scott  
Shane  
Stephenson

Stoddard  
Taylor  
Van Alstine

White  
Whitmore  
Wilson

Nays, none.

Absent or not voting, 16.

Arney  
Brookhart  
Broxam  
Cessna  
Edwards  
Foster

Haskell  
Kimberly  
LeCompte  
Meredith  
Nelson

Pitt  
Price  
Rainbow  
Smith  
Thompson

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. 439, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants for the town of Dallas Center, Iowa, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 33.

Adams  
Anderson  
Balkema  
Ball  
Buser  
Byington  
Coburn  
Evans  
Fellows  
Foskett  
Frailay

Greenell  
Haskell  
Horchem  
Kimball  
Kingland  
Mitchel  
Newberry  
Parker  
Pitt  
Ratcliff  
Reed

Rule  
Schaffter  
Scott  
Shane  
Stephenson  
Stoddard  
Thompson  
Van Alstine  
White  
Whitmore  
Wilson

Nays, none.

Absent or not voting, 17.

Arney  
Brookhart  
Broxam  
Cessna  
Edwards  
Foster

Hale  
Holdoegel  
Kimberly  
LeCompte  
Meredith  
Nelson

Price  
Proudfoot  
Rainbow  
Smith  
Taylor

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, Senate File No. 451, a bill for an act to amend section fifty-one hundred sixty-seven of the Code, relating to the limitation of indictment or prosecution when the defendant is out of the state, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out all after the enacting clause and substituting therefor the following:

SECTION 1. That section fifty-one hundred sixty-seven (5167), of the code, be and is hereby amended by striking out the last two (2) lines thereof and substituting therefor the following: "and if at any time after the offense is committed the defendant is not publicly resident within the state, the time which he is not publicly resident within the state shall be added as a part of the limitation."

Senator Wilson 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 vote was:

Ayes, 31.

Adams	Horchem	Schaffter
Anderson	Kimball	Shane
Buser	LeCompte	Stephenson
Byington	Mitchell	Stoddard
Coburn	Newberry	Taylor
Evans	Parker	Thompson
Fellows	Pitt	Van Alstine
Foskett	Ratcliff	White
Fralley	Reed	Whitmore
Greenell	Rule	Wilson
Hale		

Nays, none.

Absent or not voting, 19.

Arney	Foster	Nelson
Balkema	Haskell	Price
Ball	Holdoegel	Proudfoot
Brookhart	Kimberly	Rainbow
Broxam	Kingland	Scott
Cessna	Meredith	Smith
Edwards		

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 Stoddard, Senate File No. 453, a bill for an act to amend Section thirteen hundred and four (1304) of the Supplement to the Code, 1913, relative to exemption of taxation, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out all after the enacting clause and substituting therefor the following:

SECTION 1. That section thirteen hundred four (1304), of the Supplement to the Code, 1913, be amended by inserting after the word "estate" in the 16th line thereof the following: "where the same is not platted in town lots"; and by striking out in line nineteen (19) of said subdivision the words: "Shall not be taxed" and adding to said subdivision the following: "when, however, such real estate shall be in platted lots, there shall not be exempt to exceed twenty-five thousand dollars (\$25,000.00) of the assessed value thereof:

Senator Stoddard offered the following amendments and moved their adoption:

I move to amend the committee substitute for Senate File No. 453 as printed in the journal by striking out of the third line the figure and word "16th line" and substituting therefor the figures, letters and words "15th line of subdivision two"; also, by striking out the word and figure "nineteen (19)" in the fourth line thereof and inserting in lieu thereof the word and figure "eighteen (18)".

The amendments were adopted.

Senator Stoddard 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 vote was:

Ayes, 32.

Adams  
Anderson  
Balkema  
Ball  
Buser  
Byington  
Coburn  
Evans

Fellows  
Fralley  
Greenell  
Hale  
Horchem  
Kimball  
Kingland  
LeCompte

Mitchell  
Newberry  
Parker  
Pitt  
Ratcliff  
Reed  
Rule  
Schaff'er

Shane  
Stephenson  
Stoddard

Taylor  
Thompson  
White

Whitmore  
Wilson

Nays, none.

Absent or not voting, 18.

Arney  
Brookhart  
Broxam  
Cessna  
Edwards  
Foskett

Foster  
Haskell  
Holdoegel  
Kimberly  
Meredith  
Nelson

Price  
Proudfoot  
Rainbow  
Scott  
Smith  
Van Alstine

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

#### SENATE FILE NO. 328 RECALLED FROM HOUSE.

Senator Schaffter moved that the House be requested to return Senate File No. 328.

The motion prevailed.

#### MOTION TO RECONSIDER FILED.

I move to reconsider the vote by which House File No. 268 failed to pass the Senate and also to reconsider the vote by which the said bill passed to its third reading.

H. S. VAN ALSTINE.

On motion of Senator Balkema, Senate adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION

Senate met pursuant to adjournment, President Moore presiding.

#### INTRODUCTION OF BILLS.

By committee on motor vehicles, Senate File No. 508, a bill for an act to repeal Chapter Two-B (2-B) of Title VIII of the Supplement to the Code, 1913, relating to licensing and regulation of motor vehicles and to enact a substitute therefor.

Read first and second time and passed on file.

## PETITIONS AND MEMORIALS.

Senator LeCompte presented a petition of citizens of Wayne county favoring bond issue for hard surfaced roads.

Referred to committee on highways.

Senator Horchem presented a petition of citizens of Dubuque favoring the law protecting quail and prairie chicken.

Referred to committee on fish and game.

Senator Fellows presented a petition of citizens of Fayette county favoring the law protecting quail and prairie chicken.

Referred to committee on fish and game.

Senator Fellows presented a petition of citizens of Fayette county favoring hard surfaced roads.

Referred to committee on highways.

Senator Newberry presented a petition of citizens of Strawberry Point favoring the protection of quail and prairie chicken.

Referred to committee on fish and game.

## 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. 434, a bill for an act to amend section six hundred and sixty-a (660-a), six hundred and sixty-b (660-b) and six hundred and sixty-d (660-d) supplement to the Code, 1913, relating to the deposit of public funds by cities and towns and the payment of interest thereon.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 533, a bill for an act making an appropriation for the farmers' institute of Franklin County, Iowa, under the provisions of sec-



tion sixteen hundred seventy-five (1675), supplement to the code of Iowa 1907.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 446, a bill for an act to amend the law as it appears in section four thousand eight hundred twenty-one (4821), supplement to the code, 1913, relating to hunting upon cultivated and enclosed land.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in the Senate amendments to House File No. 326, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 repeal the law as it appears in Chapter Eighty-eight (88), Acts of the Thirty-seventh General Assembly, and to enact a substitute therefor, relating to the appointment of agents to demand of the executive authority of another State or Foreign Government fugitives from justice.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House returns Senate File No. 236 as requested.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 79, a bill for an act to appropriate Twenty-five Thousand Dollars (\$25,000) as an additional amount to complete the Medical and Laboratory Building of the State Sanatorium for the Treatment of Tuberculosis at Oakdale and for equipment thereof, and also to appropriate the sum of Three Thousand Dollars (\$3,000) for the purchase of an X-ray machine for said Institution.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 111, a bill for an act to amend section two thousand and nine (2009), Supplement to the Code, 1913, relating to condemnation of land for state purposes.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 302, a bill for an act to amend section two hundred thirty-five (235) of the code relating to special adjournment of the district court.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 434, a bill for an act to amend section six hundred and sixty-a (660-a), six hundred and sixty-b (660-b) and six hundred and sixty-d (660-d) supplement to the Code, 1913, relating to the deposit of public funds by cities and towns and the payment of interest thereon.

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

House File No. 533, a bill for an act making an appropriation for the farmers' institute of Franklin County, Iowa, under the provisions of section sixteen hundred seventy-five (1675), supplement to the code of Iowa, 1907.

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

House File No. 446, a bill for an act to amend the law as it appears in section four thousand eight hundred twenty-one (4821), supplement to the code, 1913, relating to hunting upon cultivated and enclosed land.\*

Read first and second time and referred to committee on fish and game.

## CORRECTION OF JOURNAL.

The journal of March 28th was corrected and approved.

On motion of Senator Anderson, Senate adjourned until 9 a. m., Monday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, MARCH 31, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. Fred N. Willis, pastor of the Methodist Episcopal church of Indianola.

## PETITIONS AND MEMORIALS.

Senator Evans presented a petition of Clarksville Commercial Club favoring passage of the road bill.

Referred to committee on highways.

Senator Schaffter presented a petition of Eldora Community Club favoring passage of road bill.

Referred to committee on highways.

## BILLS SIGNED BY THE GOVERNOR.

A communication was received from the governor saying that he had on March 28, 1919, approved and signed Senate Joint Resolution No. 7, also Senate Files Nos. 65, 87, 297, 60, 122, 97 and 339.

## THIRD READING OF BILLS.

On motion of Senator Kimberly House File No. 213, a bill for an act to amend section nine hundred forty-five (945), code of 1897, relative to the compensation of Mayor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

## Ayes, 31.

Anderson	Horchem	Reed
Arney	Kimberly	Rule
Ball	Kingland	Schaffter
Broxam	LeCompte	Shane
Coburn	Meredith	Stephenson
Evans	Nelson	Stoddard
Fellows	Parker	Thompson
Foskett	Pitt	White
Fralley	Proudfoot	Whitmore
Greenell	Ratcliff	Wilson
Hale		

Nays, none.

Absent or not voting, 19.

Adams	Foster	Price
Balkema	Haskell	Rainbow
Buser	Holdoegel	Scott
Byington	Kimball	Smith
Brookhart	Mitchell	Taylor
Cessna	Newberry	Van Alstine
Edwards		

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 Kimberly, House File No. 214, a bill for an act to amend section nine hundred forty-three (943) Code of 1897, relative to compensation of Alderman, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

## Ayes, 31.

Anderson	Greenell	Reed
Arney	Hale	Rule
Ball	Horchem	Schaffter
Broxam	Kimball	Shane
Buser	Kimberly	Stephenson
Byington	Kingland	Stoddard
Coburn	LeCompte	Thompson
Evans	Newberry	White
Fellows	Parker	Whitmore
Foster	Rainbow	Wilson
Fralley		

Nays, 4.

Meredith  
Nelson

Pitt

Taylor

Absent or not voting, 15.

Adams  
Balkema  
Brookhart  
Cessna  
Edwards

Foskett  
Haskell  
Holdöbeggel  
Mitchell  
Price

Proudfoot  
Ratcliff  
Scott  
Smith  
Van Alstine

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 Kimberly, House File No. 319, a bill for an act to amend the law as it appears in section nine hundred thirty-seven (937), supplemental supplement to the Code, 1915, relative to Cities under Special Charters, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

Senator Evans moved that the vote be reconsidered whereby the bill passed to its third reading, which motion prevailed.

Senator Evans offered the following amendment and moved its adoption:

Amend by striking out of line 3 in section 1 the figures "1913" and inserting in lieu thereof the figures "1915".

The amendment was adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 39.

Adams  
Anderson  
Arney  
Ball  
Broxam  
Buser  
Byington

Cessna  
Coburn  
Evans  
Fellows  
Foskett  
Fralley  
Greenell

Hale  
Horchem  
Kimball  
Kimberly  
Kingland  
LeCompte  
Meredith

Nelson	Ratcliff	Stephenson
Newberry	Reed	Stoddard
Parker	Rule	Thompson
Pitt	Schaffter	Van Alstine
Proudfoot	Scott	Whitmore
Rainbow	Shane	Wilson

Nays, none.

Absent or not voting, 11.

Balkema	Haskell	Smith
Brookhart	Holdoegel	Taylor
Edwards	Mitchell	White
Foster	Price	

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 Reed House File No. 392, a bill for an act to amend the law as it appears in chapter fifty-one (51), section one (1), acts of the thirty-seventh (37) general assembly relating to community center houses and recreation grounds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 39.

Adams	Hale	Ratcliff
Anderson	Haskell	Reed
Arney	Horchem	Rule
Ball	Kimball	Schaffter
Broxam	Kimberly	Scott
Buser	Kingland	Shane
Byington	LeCompte	Stephenson
Coburn	Nelson	Stoddard
Evans	Newberry	Thompson
Fellows	Parker	Van Alstine
Foskett	Pitt	White
Fralley	Proudfoot	Whitmore
Greenell	Rainbow	Wilson

Nays, 1.

Meredith

Absent or not voting, 10.

Balkema  
Brookhart  
Cessna  
Edwards

Foster  
Holdoegel  
Mitchell

Price  
Smith  
Taylor

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 Broxam House File No. 361, a bill for an act to amend section twenty-five hundred eighty-nine-b (2589-b), supplement to the code, 1913, relating to the fee to be paid by the holder of a foreign certificate of registration as a pharmacist when issued a certificate in this state, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 39.

Adams  
Anderson  
Arney  
Balkema  
Broxam  
Buser  
Byington  
Cessna  
Coburn  
Evans  
Fellows  
Foskett  
Frailey

Greenell  
Haskell  
Horchem  
Kimball  
Kimberly  
Kingland  
Meredith  
Mitchell  
Nelson  
Newberry  
Parker  
Pitt  
Proudfoot

Rainbow  
Ratcliff  
Reed  
Rule  
Scott  
Shane  
Stephenson  
Stoddard  
Thompson  
Van Alstine  
White  
Whitmore  
Wilson

Nays, none.

Absent or not voting, 11.

Ball  
Brookhart  
Edwards  
Foster

Hale  
Holdoegel  
LeCompte  
Price

Schaffter  
Smith  
Taylor

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 Broxam House File No. 497, a bill for an act to amend section twenty-five hundred eighty-five (2585), supplement to the Code, 1913, relating to the traveling expenses of secretary and treasurer of the commission of pharmacy, with re-



port of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 41.

Adams	Greenell	Ratcliff
Anderson	Hale	Reed
Arney	Haskell	Rule
Balkema	Kimball	Scott
Ball	Kimberly	Shane
Broxam	LeCompte	Stephenson
Buser	Meredith	Stoddard
Byington	Mitchell	Taylor
Cessna	Nelson	Thompson
Coburn	Newberry	Van Alstine
Evans	Parker	White
Fellows	Pitt	Whitmore
Foster	Proudfoot	Wilson
Frailey	Rainbow	

Nays, none.

Absent or not voting, 9.

Brookhart	Holdoegel	Price
Edwards	Horchem	Schaffter
Foskett	Kingland	Smith

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 Parker, Senate File No. 226, a bill for an act authorizing cities of the first class including cities acting under special charter and cities acting under the commission plan of government to purchase, maintain and operate a street improvement and repair plant, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Parker 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.

Senator Parker invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

## Ayes, 31.

Adams	Horchem	Reed
Anderson	Kimball	Rule
Balkema	Kimberly	Scott
Ball	LeCompte	Shane
Cessna	Meredith	Stephenson
Coburn	Newberry	Thompson
Evans	Parker	Van Alstine
Fellows	Pitt	White
Foster	Proudfoot	Whitmore
Frailey	Rainbow	Wilson
Greenell		

## Nays, 8.

Arney	Haskell	Ratcliff
Buser	Mitchell	Stoddard
Hale	Nelson	

## Absent or not voting, 11.

Brookhart	Foskett	Schaffter
Broxam	Holdoegel	Smith
Byington	Kingland	Taylor
Edwards	Price	

Senator Parker 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 vote was:

## Ayes, 37.

Adams	Foster	Mitchell
Anderson	Frailey	Nelson
Arney	Greenell	Newberry
Balkema	Hale	Parker
Ball	Haskell	Pitt
Broxam	Horchem	Proudfoot
Buser	Kimball	Rainbow
Coburn	Kimberly	Ratcliff
Evans	LeCompte	Reed
Fellows	Meredith	Rule

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 Parker, Senate File No. 401, a bill for an act to amend Section eight hundred forty-three (843) of the Code, relating to bonds issued to pay the cost of street improvements, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Schaffter  
Scott  
Stoddard

Van Alstine  
White

Whitmore  
Wilson

Nays, none.

Absent or not voting, 13.

Brookhart  
Byington  
Cesana  
Edwards  
Foskett

Hoidoegel  
Kingland  
Price  
Shane  
Smith

Stephenson  
Taylor  
Thompson

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 Ratcliff, Senate File No. 81, a bill for an act to amend Section Eighteen Hundred twenty-one-i (1821-i) Supplement to the Code, 1913, relating to examination of insurance companies, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

By striking out all after the enacting clause and substituting in lieu thereof the following:

SECTION 1. That the law as it appears in Section eighteen hundred twenty-one-i (1821-i), Supplement to the Code, 1913, be and the same is hereby amended by adding after the words "mutuals" in line four, the words "which may be examined at the discretion of the Commissioner of Insurance, and shall be examined upon the written request of the President and Secretary, or upon the written request of ten members of any such county mutual".

Senator Ratcliff 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 vote was:

Ayes, 26.

Anderson  
Arney  
Broxam  
Cesana  
Evans  
Fellows

Foster  
Fralley  
Hale  
Haskell  
Kimball  
Kimberly

LeCompte  
Mitchell  
Proudfoot  
Ratcliff  
Reed  
Schaffter

Scott  
Shane  
Stephenson

Stoddard  
Thompson  
Van Alstine

Whitmore  
Wilson

#### Nays, 14.

Ball  
Buser  
Coburn  
Greenell  
Horchem

Kingland  
Meredith  
Nelson  
Newberry  
Parker

Pitt  
Rainbow  
Rule  
White

#### Absent or not voting, 10.

Adams  
Balkema  
Brookhart  
Byington

Edwards  
Foskett  
Holdsogel  
Price

Smith  
Taylor

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

Senator Buser was called to the chair at 10:30 a. m.

On motion of Senator Proudfoot, Senate File No. 246, a bill for an act to amend the law as it appears in sections eleven hundred ninety-eight (1198), eleven hundred ninety-nine (1199), twelve hundred five (1205), twelve hundred twenty (1220), twelve hundred twenty-eight (1228) and twelve hundred thirty-two (1232), of the Code; relating to contesting elections and making the provisions for contest applicable to the vote upon constitutional amendments and other public measures, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out provision two (2) and inserting in lieu thereof the following:

"A failure to enjoin upon each voter to return such ballot, whether voted or not."

The bill was read for information.

Senator Proudfoot moved that the rules be suspended, the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40.

Anderson	Haskell	Rule
Arney	Horchem	Schaffter
Balkema	Kimball	Scott
Ball	Kimberly	Shane
Broxam	Kingland	Stephenson
Buser	Meredith	Stoddard
Cessna	Mitchell	Taylor
Coburn	Newberry	Thompson
Evans	Parker	Van Alstine
Fellows	Pitt	White
Foster	Proudfoot	Whitmore
Fralley	Rainbow	Wilson
Greenell	Ratcliff	Reed
Hale		

Nays, none.

Absent or not voting, 10.

Adams	Foskett	Neison
Brookhart	Holdoegel	Price
Byington	LeCompte	Smith
Edwards		

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 Schaffter, Senate File No. 308, a bill for an act to repeal section 298, Supplemental Supplement to the code, 1915, as amended by chapter 77, of the Acts of the thirty-seventh General Assembly and Section 481, supplemental supplement to the code, 1915, as amended by chapter 77 of the acts of the thirty-seventh general assembly; and section 491, supplemental supplement to the code, 1915, as amended by chapter 77, of the acts of the thirty-seventh General Assembly; and section 496, supplement to the code, 1913, as amended by chapter 77 of the acts of the thirty-seventh general assembly; and section 510-b, supplemental supplement to the code, 1915, and enacting substitutes therefor, relating to the appointment and compensation of deputy county officers, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend Sections 1, 2, 3 and 4, by striking out the words "sixty-five per cent" wherever they occur, and substituting in lieu thereof the words

"not less than fifty per cent that of his principal, nor more than fifteen hundred dollars per year, to be fixed by the board of supervisors."

Amend section 5 by striking out the words "seventy-five per cent" and substituting in lieu thereof the words "not less than sixty per cent that of his principal, nor more than fifteen hundred dollars per year, to be fixed by the board of supervisors."

That in Section 2 and Section 3, the last four lines of each Section be stricken out.

Senator Schaffter offered the following amendment and moved its adoption:

Amend by adding the following at the end of Sections 1, 2, and 3, each: "Provided that in counties having a population of 50,000 or over, the salary of a deputy shall be not less than fifty per cent that of his principal, nor more than seventeen hundred dollars per year, to be fixed by the Board of Supervisors."

The amendment was adopted.

Senator Schaffter 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 motion of Senator Parker, the vote by which Senate File No. 308 passed to its third reading was reconsidered and further consideration was deferred.

On motion of Senator Frailey, Senate File No. 387, a bill for an act to amend the law as it appears in sub-division one (1) of section seventeen hundred nine (1709) Supplement to the Code, 1913, relating to insurance other than life, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Frailey 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 vote was:

Ayes, 34.

Adams  
Anderson  
Arney  
Broxam  
Buser  
Cessna  
Evans

Fellows  
Foster  
Frailey  
Greenell  
Haskell  
Holdoegel  
Horchem

Kimball  
Kimberly  
Kingland  
LeCompte  
Mitchell  
Nelson  
Parker

Rainbow	Scott	Van Alstine
Ratcliff	Shane	White
Reed	Stephenson	Whitmore
Rule	Thompson	Wilson
Schaffter		

## Nays, 10.

Ball	Meredith	Proudfoot
Coburn	Newberry	Stoddard
Foskett	Pitt	Taylor
Hale		

## Absent or not voting, 6.

Balkema	Byington	Price
Brookhart	Edwards	Smith

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

President Moore resumed the chair at 11:10 a. m.

On motion of Senator Foskett, Senate File No. 495, a bill for an act to amend Section 1400-T-1 of the supplement to the code, 1913, relating to boundaries of capitol extension, a committee bill, was taken up and considered.

Senator Foskett 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 vote was:

## Ayes, 35.

Adams	Greenell	Rule
Anderson	Hale	Schaffter
Arney	Haskell	Scott
Balkema	Horchem	Shane
Ball	Kingland	Stephenson
Buser	Meredith	Stoddard
Byington	Mitchell	Taylor
Coburn	Newberry	Van Alstine
Evans	Parker	White
Fellows	Rainbow	Whitmore
Foskett	Ratcliff	Wilson
Fralley	Reed	

## Nays, 4.

Foster	Nelson	Pitt
LeCompte		

Absent or not voting, 11.

Brookhart	Holdoegel	Proudfoot
Broxam	Horchem	Smith
Cessna	Kimberly	Thompson
Edwards	Price	

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, Senate File No. 501, a bill for an act to amend section thirty-seven hundred and sixty-four (3764) of the code, relating to the dismissal of actions, a committee bill, was taken up and considered.

Senator Wilson 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 vote was:

Ayes, 36.

Anderson	Greenell	Rainbow
Arney	Hale	Ratcliff
Balkema	Holdoegel	Reed
Ball	Horchem	Rule
Buser	Kimball	Schaffter
Byington	Kimberly	Scott
Coburn	Kingland	Shane
Evans	LeCompte	Stephenson
Fellows	Meredith	Stoddard
Foskett	Newberry	Thompson
Foster	Parker	Whitmore
Fralley	Pitt	Wilson

Nays, none.

Absent or not voting, 14.

Adams	Haskell	Smith
Brookhart	Mitchell	Taylor
Broxam	Nelson	Van Alstine
Cessna	Price	White
Edwards	Proudfoot	

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 Parker, House File No. 9, a bill for an act granting additional powers to all cities including special



charter cities and cities under commission plan of government pertaining to levying of taxes for park, art and memorial purposes, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by inserting after the comma in the third line of section 1 thereof the following: "having a population of eighty-five thousand (85,000) or over,".

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 36.

Adams	Frailey	Parker
Anderson	Greenell	Pitt
Arney	Hale	Rainbow
Halkema	Haskell	Ratcliff
Ball	Holdoegel	Reed
Buser	Horchem	Schaffer
Byington	Kimball	Scott
Coburn	Kimberly	Shane
Evans	LeCompte	Stoddard
Fellows	Mitchell	Thompson
Foskett	Nelson	White
Foster	Newberry	Wilson

Nays, 4.

Meredith	Stephenson	Whitmore
Rule		

Absent or not voting, 10.

Brookhart	Kingland	Smith
Broxam	Price	Taylor
Cessna	Proudfoot	Van Alstine
Edwards		

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

Senator Parker offered the following amendment to the title and moved its adoption:

Amend the title to House File No. 9 by inserting after the word "government" in the third line "having a population of 85,000 or over".

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Rule, House File No. 29, a bill for an act to repeal the law as it appears in sections sixteen hundred fifty-eight (1658) and sixteen hundred fifty-nine (1659), supplement to the code, 1913, and section sixteen hundred sixty-one-a (1661-a), supplemental supplement to the code, 1915, and to enact a substitute therefor, relating to state aid granted county and district fairs or agricultural societies, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Adams	Frailley	Rule
Anderson	Greenell	Schaffter
Arney	Hale	Scott
Balkema	Haskell	Shane
Ball	Holdoegel	Stephenson
Buser	Kimberly	Stoddard
Byington	Kingland	Taylor
Cessna	LeCompte	Thompson
Coburn	Mitchell	Van Alstine
Evans	Nelson	White
Fellows	Newberry	Whitmore
Foskett	Pitt	Wilson
Foster	Rainbow	

Nays, 1.

Ratcliff

Absent or not voting, 11.

Brookhart	Kimball	Proudfoot
Broxam	Meredith	Reed
Edwards	Parker	Smith
Horchem	Price	

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 Horchem, Senate File No. 332, a bill for an act providing for the erection of a Detention or Contagious

Disease Hospital and the issuance of bonds covering the costs thereof, and providing for a tax levy to pay such bonds and the interest thereon, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Horchem moved that the rules be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Fralley	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Rule
Ball	Holdoegel	Schaffter
Broxam	Horchem	Scott
Buser	Kimball	Shane
Byington	Kimberly	Stephenson
Cessna	Meredith	Stoddard
Coburn	Mitchell	Taylor
Evans	Newberry	Thompson
Fellows	Parker	Whitmore
Foskett	Proudfoot	Wilson
Foster		

Nays, none.

Absent or not voting, 13.

Adams	LeCompte	Reed
Brookhart	Nelson	Smith
Edwards	Pitt	Van Aletine
Greenell	Price	White
Kingland		

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 Schaffter from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 330, a bill for an act to legalize certain Warrants of the City of Burlington, Iowa and the issuance and sale of Negotiable Bonds Funding said Warrants.

Also:

Senate File No. 287, a bill for an act to amend Section two thousand seven hundred twenty-seven three a (2727-3a) of the Supplement to the Code, 1913, providing for the salary of the Superintendent of the Iowa School for the Deaf.

Also:

Senate File No. 205, a bill for an act defining and regulating the sale, the endeavoring to sell, or the sale, of process or renovated butter, and to provide for the branding and labeling of the same.

Also:

Senate File No. 224, a bill for an act to legalize deed of Wayne County, Iowa to Ben Gilkerson for Lots One (1) and Two (2) in Young's Second Addition to the town of Seymour, Iowa as shown by plat recorded in Book II, Page 152, land deed records of the office of the recorder of Wayne County, Iowa, the same being Lots One (1) and Two (2) in Block One (1) in Young's Second Addition to the town of Seymour, Iowa.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter 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. 330, a bill for an act to legalize certain Warrants of the City of Burlington, Iowa and the issuance and sale of Negotiable Bonds Funding said Warrants.

Also:

Senate File No. 287, a bill for an act to amend section two thousand seven hundred twenty-seven three a (2727-a3) of the Supplement to the Code, 1913, providing for the salary of the Superintendent of the Iowa School for the Deaf.

Also:

Senate File No. 205, a bill for an act defining and regulating the sale, the endeavoring to sell, or the sale, of process or renovated butter, and to provide for the branding and labeling of the same.

Also:

Senate File No. 224, a bill for an act to legalize deed of Wayne County, Iowa to Ben Gilkerson for Lots One (1) and Two (2) in Young's Second Addition to the town of Seymour, Iowa as shown by plat recorded in Book II, Page 152, land deed records of the office of the recorder of Wayne County, Iowa, the same being Lots One (1) and Two (2) in Block One (1) in Young's Second Addition to the town of Seymour, Iowa.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### REPORT OF COMMITTEE.

Senator Newberry, 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 requiring the use of the English Language as the medium of instruction in all secular subjects in all schools within the state of Iowa, beg leave to report they have had the same under consideration and recommend that all Senate amendments be stricken, and that the bill as passed by the House be recommended for passage.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

#### SPECIAL ORDER.

On motion of Senator Newberry, House File No. 6 was made a special order for Thursday, April 3d at 10:00 a. m.

#### RESIGNATION OF COMMITTEE CLERK.

*To President of the Senate Ernest R. Moore:*

I hereby tender my resignation as committee clerk in the Senate.

JOHANNA SCHELLIN.

The resignation was accepted.

#### THIRD READING OF BILLS.

On motion of Senator Foster, Senate File No. 398, a bill for an act relating to the sales, or promoting of sales, of stocks, bonds or other securities by means of any artifice or fraud, and relating to promoting the sales of same, by false advertisements, or false representation thru agents, or otherwise, or by fraudulently con-

cealing material facts adversely affecting the value of said stock or securities so promoted, sold or offered for sale, and providing penalty therefor, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

On motion of Senator Kingland, Senate adjourned until 1:30 p. m., today.

### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

Senate resumed consideration of Senate File No. 398.

The following committee amendments were adopted:

Amend by inserting following the word "imprisonment" in the 9th line of Section 1, the following: "in the county jail".

By inserting the words "stocks, bonds, notes or" in the following places in Section 2 thereof: Following the word "in" in the first line, following the word "any" in the sixth line, following the word "such" in the eighth line, following the word "speculative" in the twelfth line, following the word "such" in the fourteenth line, and following the word "such" in the fifteenth line, and also following the word "own" in the second line.

By inserting after word "imprisonment" in the eighteenth line of said Section 2, the following words: "in the county jail".

Senator Frailey offered the following amendment and moved its adoption:

Amend by striking out Section 3.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 26.

Broxam  
Buser  
Byington  
Cessna  
Evans  
Fellows  
Frailey  
Hale  
Haskell

Horchem  
Kimball  
Kimberly  
Kingland  
Mitchell  
Nelson  
Newberry  
Proudfoot  
Rainbow

Rule  
Schaffter  
Scott  
Stephenson  
Stoddard  
Thompson  
Van Alstine  
Wilson

## Nays, 19.

Anderson	Arney	Ball
Coburn	Meredith	Shane
Edwards	Parker	Smith
Foskett	Price	Taylor
Foster	Ratcliff	White
Holdoegel	Reed	Whitmore
LeCompte		

## Absent or not voting, 5.

Adams	Brookhart	Pitt
Balkema	Greenell	

The amendment was adopted.

Senator Evans offered the following amendment and moved its adoption:

Amend by striking from line 8 of Section 1 the words "within the state,".

Senator Price offered the following as a substitute for the pending amendment and moved its adoption:

Amend by inserting after the word "within" in line 8 of section 1, the words "or without".

The substitute amendment was lost.

On the question, "Shall the amendment offered by Senator Evans be adopted?" the vote was:

## Ayes, 17.

Adams	Horchem	Scott
Byington	Kimball	Thompson
Evans	Kimberly	Van Alstine
Frailey	Meredith	White
Hale	Mitchell	Wilson
Haskell	Rule	

## Nays, 26.

Anderson	Holdoegel	Reed
Arney	LeCompte	Schaffter
Ball	Nelson	Shane
Cessna	Newberry	Smith
Coburn	Parker	Stephenson
Edwards	Price	Stoddard
Fellows	Proudfoot	Taylor
Foskett	Rainbow	Whitmore
Foster	Ratcliff	

Absent or not voting, 7.

Balkema  
Brookhart  
Broxam

Buser  
Greenell

Kingland  
Pitt

The amendment was lost.

Senator Foster 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 vote was:

Ayes, 45.

Adams	Fralley	Ratcliff
Anderson	Hale	Reed
Arney	Haskell	Rule
Balkema	Holdoegel	Schaffter
Ball	Horchem	Scott
Broxam	Kimball	Shane
Buser	Kimberly	Smith
Byington	LeCompte	Stephenson
Cessna	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Nelson	Thompson
Evans	Newberry	Van Alstine
Fellows	Price	White
Foskett	Proudfoot	Whitmore
Foster	Rainbow	Wilson

Nays, none.

Absent or not voting, 5.

Brookhart  
Greenell

Kingland  
Parker

Pitt

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

Senator Frailey offered the following amendment to the title and moved its adoption:

Amend the title by striking out the words "or otherwise" in lines 4 and 5 thereof.

The amendment was adopted and the title as amended was agreed to.

#### CORRECTION OF JOURNAL.

The journal of March 29th was corrected and approved.



Senator White was called to the chair at 2:25 p. m.

SENATE FILE WITHDRAWN.

By unanimous consent, Senator Stoddard withdrew Senate File No. 177 from further consideration.

BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate Files Nos. 330, 224, 287 and 205.

REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 the following bills:

House File No. 35, a bill for an act authorizing certain cities to establish building lines by ordinance, and providing for the notice to be given thereof and for hearing objections thereto.

Also:

House File No. 365, a bill for an act to prohibit the receiving of commissions, etc., for organizing a bank or securing subscriptions to stock.

Also:

House File No. 293, a bill for an act to amend section nineteen hundred eighty-nine-a three (1989-a3) of the supplement to the code, 1913, relating to the manner of giving notice to owners, lien holders and encumbrancers of property within a city or town of its inclusion within a proposed drainage district.

Also:

House File No. 233, a bill for an act to amend the law as it appears in section two thousand seven hundred and seventy-three (2773), supplement to the code, 1913, relating to the powers of school boards for fixing length of term, and in providing means of transportation for pupils.

Also:

House File No. 168, a bill for an act to amend the law as it appears in section six hundred ninety-four-c1 (694-c1), supplemental supplement to the code, 1915, relating to municipal courts.

**Also:**

House File No. 133, a bill for an act to amend chapter one hundred thirty-one (131), acts of the thirty-seventh general assembly, relating to the levying of taxes for fire fund.

**Also:**

House File No. 208, a bill for an act to amend section six hundred fifty-one (651), supplement to the code, 1913, relating to the appointment of officers in cities and towns.

**Also:**

House File No. 248, a bill for an act to amend the law as it appears in section twenty-eight hundred twenty-d4 (2820-d4), supplement to the code, 1913, relating to the vote required to authorize the issuance of bonds and to legalize elections heretofore held in school districts, where a majority of the votes cast at such elections was in favor of issuing bonds and to legalize such bonds.

**Also:**

House File No. 326, a bill for an act to authorize the issuing of bonds as provided by section 1989-a27, chapter 2-A, title X, supplement to the code, 1913, for account of drainage districts organized under chapter 2-B, title X, supplemental supplement to the code, 1915, and to legalize the organization of such drainage districts and assessments levied and bonds issued in respect thereof.

**Also:**

House File No. 385, a bill for an act to legalize ordinances and amendments to ordinances of the town of Madrid, Boone County, Iowa.

**Also:**

House File No. 459, a bill for an act to legalize an election held in Consolidated Independent School District of Huron, Des Moines County, Iowa, authorizing the issuance of bonds in the sum of fifty-five thousand dollars (\$55,000), and to validate said bonds.

**Also:**

House File No. 284, a bill for an act to amend the law as it appears in section nineteen hundred eighty-nine-a two (1989-a2) of the supplement to the code 1913, relating to the report of engineer.

**Also:**

House File No. 41, a bill for an act to amend chapter eighty-nine (89),

acts of the Thirty-seventh (37th) General Assembly, relating to public aid to county or district fairs.

Also:

House File No. 11, a bill for an act to repeal section two thousand four hundred seventy-seven-c (2477-c), supplemental supplement to the code, and to enact a substitute therefor, relating to the hours that child labor may be employed in the state of Iowa.

Also:

House File No. 242, a bill for an act to confirm the title of Frank Schultz to the southeast quarter of the northwest quarter of section No. thirty-four (34) in township No. eighty-one (81) north range No. fifteen (15), west fifth P. M., in Poweshiek County, Iowa, and authorizing the issuance of a patent to him therefor.

Also:

House File No. 351, a bill for an act to amend section two thousand seven hundred and seventy-one (2771) of the code, relating to filling vacancies on the board of directors of school corporations.

Also:

House File No. 495, a bill for an act to legalize the official acts of certain persons acting as notaries public.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 31st day of March, 1919, sent to the governor for his approval, Senate File No. 330, a bill for an act to legalize certain Warrants of the City of Burlington, Iowa and the issuance and sale of Negotiable Bonds Funding said Warrants.

Also:

Senate File No. 287, a bill for an act to amend section two thousand seven hundred twenty-seven three a (2727-3a) of the Supplement to the

Code, 1913, providing for the salary of the Superintendent of the Iowa School for the Deaf.

Also:

Senate File No. 205, a bill for an act defining and regulating the sale, the endeavoring to sell, or the sale, of process or renovated butter, and to provide for the branding and labeling of the same.

Also:

Senate File No. 224, a bill for an act to legalize deed of Wayne County, Iowa to Ben Gilkerson for Lots One (1) and Two (2) in Young's Second Addition to the town of Seymour, Iowa as shown by plat recorded in Book II, Page 152, land deed records of the office of the recorder of Wayne County, Iowa, the same being Lots One (1) and Two (2) in Block One (1) in Young's Second Addition to the town of Seymour, Iowa.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

### THIRD READING OF BILLS.

On motion of Senator Parker, Senate File No. 428, a bill for an act to amend section two hundred and fifty-four-a20 (254-a20) Supplement to the Code, 1913, relating to financial aid for widowed mothers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Parker moved that the period at the end of the bill be stricken out and a comma inserted in lieu thereof.

The motion prevailed.

Senator Parker 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 vote was:

Ayes, 35.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Broxam  
Byington

Coburn  
Edwards  
Fellows  
Foskett  
Frailey  
Hale  
Haskell

Horchem  
Kimberly  
Mitchell  
Nelson  
Newberry  
Parker  
Price

Proudfoot	Shane	Van Alstine
Rainbow	Smith	White
Reed	Stephenson	Whitmore
Rule	Stoddard	Wilson
Scott	Taylor	

Nays, 3.

Buser	Kingland	Schaffter
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Absent or not voting, 12.

Brookhart	Greenell	Meredith
Cessna	Holdoegel	Pitt
Evans	Kimball	Ratcliff
Foster	LeCompte	Thompson

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 Scott, Senate File No. 437, a bill for an act to amend the law as it appears in Sections Two hundred Fifty (250) Three Thousand Two Hundred Sixty One (3261) and Three Thousand Two Hundred Eighty Three (3283) of the Code and providing for the admission to probate of wills of decedents by clerks of the district court, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

Senator Scott 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 vote was:

Ayes, 40.

Adams	Frailey	Reed
Anderson	Hale	Rule
Arney	Haskell	Schaffter
Balkema	Holdoegel	Scott
Ball	Horchem	Shane
Broxam	Kimberly	Smith
Buser	LeCompte	Stephenson
Byington	Meredith	Stoddard
Cessna	Mitchell	Taylor
Coburn	Parker	Thompson
Edwards	Price	White
Evans	Proudfoot	Whitmore
Fellows	Rainbow	Wilson
Foskett		

Nays, none.

Absent or not voting, 10.

Kimball	Greenell	Pitt
Kingland	Nelson	Ratcliff
Brookhart	Newberry	Van Alstine
Foster		

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

#### HOUSE AMENDMENTS CONCURRED IN.

Senator Smith called up Senate File No. 296 relating to consolidated schools, amended by the House, and moved that the Senate concur in the following House amendments:

Amend by changing the period following the word "district" in line 24 of Section 1 to a comma, and by inserting immediately thereafter the following:

"which publication shall be made not less than five days nor more than fifteen days prior to the hearing or election to which they refer."

Also by adding to Section 1 the following: "The judges of the elections herein provided for shall be appointed by the county superintendent with whom the petition was filed. Such judges shall be qualified voters of the territory or district in which they are to serve. If any judge fails to appear at the proper time his place shall be filled by the judge or judges present".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 42.

Adams	Haskell	Reed
Anderson	Holdoegel	Rule
Arney	Horchem	Schaffter
Ball	Kimball	Scott
Broxam	Kimberly	Shane
Buser	LeCompte	Smith
Byington	Meredith	Stephenson
Edwards	Mitchell	Stoddard
Evans	Nelson	Taylor
Fellows	Newberry	Thompson
Foskett	Parker	Van Alstine
Foster	Price	White
Fralley	Rainbow	Whitmore
Hale	Ratcliff	Wilson

Nays, none.

Absent or not voting, 8.

Balkema  
Brookhart  
Cessna

Coburn  
Greenell  
Kingland

Pitt  
Proudfoot

The House amendments, having received a constitutional majority, were declared to have been concurred in by the Senate.

MOTION TO RECONSIDER CALLED UP.

Senator Taylor called up the motion filed to reconsider the vote by which Senate File No. 288 failed to pass the Senate.

On the question, "Shall the vote be reconsidered?" the vote was:

Ayes, 38.

Adams  
Anderson  
Arney  
Ball  
Buser  
Cessna  
Coburn  
Edwards  
Evans  
Fellows  
Foskett  
Foster  
Frailey

Holdoegel  
Kimball  
Kimberly  
LeCompte  
Meredith  
Mitchell  
Nelson  
Newberry  
Parker  
Price  
Proudfoot  
Rainbow  
Ratcliff

Reed  
Rule  
Schaffter  
Scott  
Shane  
Smith  
Stoddard  
Thompson  
Van Alstine  
White  
Whitmore  
Wilson

■ Nays, none.

Absent or not voting, 12.

Balkema  
Brookhart  
Broxam  
Byington

Greenell  
Hale  
Haskell  
Horchem

Kingland  
Pitt  
Stephenson  
Taylor

The motion to reconsider prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39.

Adams  
Anderson  
Arney  
Balkema  
Broxam

Buser  
Byington  
Cessna  
Edwards  
Fellows

Foskett  
Frailey  
Holdoegel  
Horchem  
Kimball

Kimberly,	Proudfoot	Smith
LeCompte	Rainbow	Stoddard
Meredith	Ratcliff	Taylor
Mitchell	Reed	Thompson
Nelson	Rule	Van Alstine
Newberry	Schaffter	White
Parker	Scott	Whitmore
Price	Shane	Wilson

Nays, none.

Absent or not voting, 11.

Ball	Foster	Kingland
Brookhart	Greenell	Pitt
Coburn	Hale	Stephenson
Evans	Haskell	

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

#### MOTION TO RECONSIDER CALLED UP.

Senator Arney called up the motion filed to reconsider the vote by which Senate File No. 294 failed to pass the Senate.

The motion to reconsider prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34.

Adams	Hale	Ratcliff
Anderson	Horchem	Reed
Arney	Kimbali	Schaffter
Balkema	Kimberly	Shane
Ball	Mitchell	Stephenson
Byington	Newberry	Stoddard
Edwards	Parker	Taylor
Evans	Pitt	Van Alstine
Fellows	Price	White
Foskett	Proudfoot	Whitmore
Foster	Rainbow	Wilson
Frailey		

Nays, 5.

Buser	Nelson	Thompson
LeCompte	Rule	

Absent or not voting, 11.

Brookhart.	Greenell	Meredith
Broxam	Haskell	Scott
Cessna	Holdoegel	Smith
Coburn	Kingland	



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

SENATE FILES REFERRED.

Senator Newberry moved that Senate Files Nos. 425 and 487 be referred to the committee on schools.

The motion prevailed.

MOTION TO RECONSIDER CALLED UP.

Senator Ball called up the motion filed to reconsider the vote by which Senate File No. 389 failed to pass the Senate.

Senator Buser invoked rule 8.

On the question, "Shall the vote be reconsidered?" the vote was:

Ayes, 23.

Arney	Kimball	Reed
Balkema	Kingland	Schaffter
Ball	LeCompte	Smith
Buser	Meredith	Stoddard
Foskett	Mitchell	Taylor
Fralley	Nelson	White
Haskell	Parker	Whitmore
Horchem	Rainbow	

Nays, 22.

Adams	Foster	Rule
Anderson	Hale	Scott
Broxam	Kimberly	Shane
Byington	Newberry	Stephenson
Coburn	Price	Thompson
Edwards	Proudfoot	Van Alstine
Evans	Ratcliff	Wilson
Fellows		

Absent or not voting, 5.

Brookhart	Greenell	Pitt
Cessna	Holdoegel	

The motion to reconsider prevailed.

Senator Ball moved that the vote by which the bill passed to its third reading be reconsidered.

The motion prevailed.

Senator Buser offered the following amendments and moved their adoption:

Amend by adding after the word "state" in line eight of section three the following: "as designated by the acceptance of the county boards of supervisors".

Also amend by striking out the word "accepted" in line one of section four and inserting in lieu thereof the word "received".

The amendments were adopted.

Senator Rule moved the previous question, which motion prevailed and the previous question was ordered.

Senator Buser 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 vote was:

Ayes, 18.

Arney	Kingland	Schaffter
Ball	Meredith	Smith
Buser	Mitchell	Stoddard
Foskett	Nelson	White
Holdoegel	Rainbow	Whitmore
Kimball	Reed	Wilson

Nays, 26.

Adams	Foster	Proudfoot
Anderson	Fralley	Ratcliff
Broxam	Hale	Rule
Byington	Haskell	Scott
Cessna	Horchem	Shane
Coburn	Kimberly	Stephenson
Edwards	LeCompte	Taylor
Evans	Parker	Thompson
Fellows	Price	

Absent or not voting, 6.

Balkema	Greenell	Pitt
Brookhart	Newberry	Van Alstine

So the bill, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

President Moore resumed the chair at 3:15 p. m.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 351, a bill for an act to amend the law as it appears in section three thousand one hundred ninety-seven (3197) of the Code, relating to the giving of bonds by guardians, and providing for the amount and approval of the same.

Also:

Senate File No. 316, a bill for an act to amend the law as it appears in Chapter 26, Section 1, Acts of the 37th General Assembly, relating to the acquisition of school house sites.

Also:

Senate File No. 363, a bill for an act to repeal the law as it appears in Chapter Eighty-eight (88), Acts of the Thirty-seventh General Assembly, and to enact a substitute therefor, relating to the appointment of agents to demand of the executive authority of another State or Foreign Government fugitives from justice.

Also:

Senate File No. 192, a bill for an act to provide for purchasing additional land for the Iowa State Fair and for paying paving and curbing assessment against the Iowa State Fair Grounds and to make appropriations therefor.

Also:

Senate File No. 193, a bill for an act to provide for the construction of a cattle barn and sale pavilion on the Iowa State Fair Grounds and to make an appropriation therefor.

Also:

Senate File No. 475, a bill for an act in relation to the housing of the people in cities of the first class and special charter cities and cities under commission form of government, to promote the health, safety and welfare of the people by regulating the light and ventilation, sanitation, fire protection, maintenance, alteration and improvement of dwellings; to define the classes of dwelling affected by the act, to establish administrative requirements and to establish remedies and fix penalties for the violation thereof; also providing that all other cities and incorporated towns may adopt ordinances for the regulation and control of any or all such matters and fix penalties for the violation thereof; also providing

that the State Board of Health may apply and enforce the provisions of this act in mining camps.

EUGENE SCHAFFTER, *Chairman*.

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 351, a bill for an act to amend the law as it appears in section three thousand one hundred ninety-seven (3197) of the Code, relating to the giving of bonds by guardians, and providing for the amount and approval of the same.

Also:

Senate File No. 316, a bill for an act to amend the law as it appears in Chapter 26, Section 1, Acts of the 37th General Assembly, relating to the acquisition of school house sites.

Also:

Senate File No. 363, a bill for an act to repeal the law as it appears in Chapter Eighty-eight (88), Acts of the Thirty-seventh General Assembly, and to enact a substitute therefor, relating to the appointment of agents to demand of the executive authority of another State or Foreign Government fugitives from justice.

Also:

Senate File No. 192, a bill for an act to provide for purchasing additional land for the Iowa State Fair and for paying paving and curbing assessment against the Iowa State Fair Grounds and to make appropriations therefor.

Also:

Senate File No. 193, a bill for an act to provide for the construction of a cattle barn and sale pavilion on the Iowa State Fair Grounds and to make an appropriation therefor.

Also:

Senate File No. 475, a bill for an act in relation to the housing of the people in cities of the first class and special charter cities and cities under commission form of government, to promote the health, safety and welfare of the people by regulating the light and ventilation, sanitation,

fire protection, maintenance, alteration and improvement of dwellings; to define the classes of dwelling affected by the act, to establish administrative requirements and to establish remedies and fix penalties for the violation thereof; also providing that all other cities and incorporated towns may adopt ordinances for the regulation and control of any or all such matters and fix penalties for the violation thereof; also providing that the State Board of Health may apply and enforce the provisions of this act in mining camps.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 31st day of March, 1919, sent to the governor for his approval, Senate File No. 351, a bill for an act to amend the law as it appears in section three thousand one hundred ninety-seven (3197) of the Code, relating to the giving of bonds by guardians, and providing for the amount and approval of the same.

Also:

Senate File No. 316, a bill for an act to amend the law as it appears in Chapter 26, Section 1, Acts of the 37th General Assembly, relating to the acquisition of school house sites.

Also:

Senate File No. 363, a bill for an act to repeal the law as it appears in Chapter Eighty-eight (88), Acts of the Thirty-seventh General Assembly, and to enact a substitute therefor, relating to the appointment of agents to demand of the executive authority of another State or Foreign Government fugitives from justice.

Also:

Senate File No. 192, a bill for an act to provide for purchasing additional land for the Iowa State Fair and for paying paving and curbing assessment against the Iowa State Fair Grounds and to make appropriations therefor.

Also:

Senate File No. 193, a bill for an act to provide for the construction of

a cattle barn and sale pavilion on the Iowa State Fair Grounds and to make an appropriation therefor.

Also:

Senate File No. 475, a bill for an act in relation to the housing of the people in cities of the first class and special charter cities and cities under commission form of government, to promote the health, safety and welfare of the people by regulating the light and ventilation, sanitation, fire protection, maintenance, alteration and improvement of dwellings; to define the classes of dwelling affected by the act, to establish administrative requirements and to establish remedies and fix penalties for the violation thereof; also providing that all other cities and incorporated towns may adopt ordinances for the regulation and control of any or all such matters and fix penalties for the violation thereof; also providing that the State Board of Health may apply and enforce the provisions of this act in mining camps.

EUGENE SCHAFFTER, *Chairman*.

Adopted.

#### REPORT OF COMMITTEE.

Senator Ball, from the committee on public health, submitted the following report:

MR. PRESIDENT—Your committee on public health, to whom was referred Senate File No. 360 (by Proudfoot), a bill for an act to repeal section 2575-a-34 of the supplement to the code, 1913, and to enact a substitute therefor relating to the practice of nursing, 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:

By striking out of "section one" beginning with the word "and" in line twenty-eight and ending with the word "Iowa" in line thirty-three and substituting in lieu thereof the following: "and shall make such recommendations to such hospital or hospitals as will aid them in their course of training."

GEO. W. BALL, *Chairman*.

Ordered passed on file.

#### BILLS SIGNED BY THE PRESIDENT.

The president announced that as president of the Senate in the presence of the Senate he had signed Senate Files Nos. 351, 316, 363, 192, 193 and 475.

Also House Files Nos. 11, 41, 284, 168, 233, 293, 365, 35, 495, 351, 242, 385, 326, 248, 208, 133 and 459.

## 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 passed the following bill in which the concurrence of the House was asked:

Senate File No. 341, a bill for an act amending Section Fifteen hundred thirty-three (1533) Supplement to the Code, 1913, relating to the cutting of weeds along public highways over which township trustees and county boards have jurisdiction.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 repeal section thirty-three hundred and seventy-six (3376), supplement to the code, 1913, and to enact a substitute therefor, relating to share not affected by will and election by a surviving spouse to take or to refuse to take under a decedent's will.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House returns Senate File No. 328 as requested.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 118, a bill for an act to amend sections sixteen hundred fourteen-f (1614-f), sixteen hundred fourteen-g (1614-g), sixteen hundred fourteen-h (1614-h), and sixteen hundred fourteen-i (1614-i), of the supplement to the code, 1913, relating to annual reports by corporations, and making provision for forfeiture and cancellation of the corporate charter, and rights to do business in this state.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 54, a bill for an act to amend Chapter two hundred sixty-seven (267) of the laws of the Thirty-seventh General Assembly, and relating to the compensation of jury commissioners and the auditing of the same by a judge of the district court.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 327, a bill for an act to amend Section Three Hundred Thirteen (313), Supplement to the Code, 1913, relating to the admission to the Bar of Practitioners, from other states.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 344, a bill for an act to repeal section 3252 of the Code.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 16, a bill for an act limiting the period in which increase of compensation of public officers, agents, or employes shall be effective.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 132, a bill for an act for the remission of taxes for any institution organized by private parties or under the terms of any will for the care and custody of public charges.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 410, a bill for an act to amend Section 2778, Supplemental Supplement to the Code, 1915, relating to contracts with teachers.

W. C. RAMSAY, *Chief Clerk.*



Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 272, a bill for an act appropriating funds for paving the roads through and adjacent to the grounds of the Iowa School for the Deaf, providing for the manner of construction of said pavement, and amending Chapter two hundred seventy-six (276) of the laws of the Thirty-Seventh General Assembly relating to the same matter.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 382, a bill for an act to amend the law as it appears in Section Twenty-Seven Hundred Forty (2740) of the Code, relating to the duties of county superintendents.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 provide for the compensation of bailiffs of district courts.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 275, a bill for an act to amend the law as it appears in Section 2734-b, Supplemental Supplement to the Code 1915 as amended by Chapter 317, Acts of the Thirty-Seventh General Assembly, relating to deputy county superintendents.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 482, a bill for an act to amend the law as it appears in section four hundred fifty-eight-c (458-c), supplement to the code, 1913, relating to claims for damages for killing or injury of domestic animals.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 314, a bill for an act to reimburse John Miller for services while acting as a Member of the Delaware County Guards.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 29, a bill for an act making appropriations for the erection, repair and improvement of buildings, for appurtenances and connections thereto, for furniture, fixtures, furnishings and equipment, for the purchase of land, for the purchase of live stock, farm machinery and equipment, for establishing and maintaining industries, for the purchase of clothing, food, fuel and supplies, and for improvements, equipment and appliances needed in any or all of the institutions hereinafter named, to wit: Iowa Soldiers' Home, Iowa Soldiers' Orphans' Home, Institution for Feeble Minded Children, State Sanatorium for the treatment of tuberculosis, State Industrial Schools, State Hospitals for the Insane, State Penitentiary, the Reformatory, State Hospital and Colony for Epileptics and the Women's Reformatory.

#### HOUSE AMENDMENTS.

Amend by striking out the words and figures \$442,075.00 in section 1 and inserting in lieu thereof \$417,075.00.

Also by striking out of lines 1 and 2, Section 1, the words and figures "eight hundred eighty-four thousand, one hundred fifty dollars (\$884,150.00)" and inserting in lieu thereof the words and figures "eight hundred thirty-four thousand, one hundred and fifty dollars (\$834,150.00)".

Also by striking out of lines 2 and 3, Section 17, the words and figures "one hundred thousand dollars (\$100,000.00)" and inserting in lieu thereof "fifty thousand dollars (\$50,000.00)".

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 154, a bill for an act to provide training in teaching service for the Iowa State Teachers College, and to furnish instruction

to pupils of school districts under contract between the Board of Directors and the State Board of Education.

#### HOUSE AMENDMENTS.

Amend by inserting following the words "State Teachers College" the words "State University of Iowa" and "College of Agriculture and Mechanic Arts".

Also by inserting after the words "State Teachers College" in the last line of Section 1, the words "State University of Iowa" and the words "College of Agriculture and Mechanic Arts."

Also, by striking out after the word "as" in said line the word "a" and by adding the letter "s" to the end of the word "school" in the last line of said section one, line 4.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 161, a bill for an act to amend section forty-six hundred-a (4600-a) of the Supplement to the Code, 1913, relative to fees of Justices of the Peace and Constables.

#### HOUSE AMENDMENT.

Amend by inserting after the semi-colon (;) in line seventeen thereof, the following: "in townships having a population of 40,000 or more, justices \$1800, and constables \$1500."

W. C. RAMSAY, *Chief Clerk.*

Also:

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 packing and shipping stationery, books, etc., to the homes of the members of the Legislature.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has amended and passed the following Senate Concurrent Resolution, in which the concurrence of the House was asked:

Senate Concurrent Resolution relating to preservation of evidence and records taken in the study of the departments of state.

#### HOUSE AMENDMENTS.

Amend by striking out the period following the word "Iowa" in the fifth line and substituting in lieu thereof the following:

“, not exceeding five hundred dollars.”

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 255, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House concurs in Senate amendments to House File No. 332 in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House concurs in Senate amendments to House File No. 215 in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House concurs in Senate amendments to House File No. 303 in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House concurs in Senate amendments to House File No. 199 in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House concurs in

Senate amendments to House File No. 201 in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 382, a bill for an act to amend the law as it appears in Section Twenty-Seven Hundred Forty (2740) of the Code, relating to the duties of county superintendents.

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

House File No. 464, a bill for an act to provide for the compensation of bailiffs of district courts.

Read first and second time and referred to committee on county and township affairs.

House File No. 272, a bill for an act appropriating funds for paving the road through and adjacent to the grounds of the Iowa School for the Deaf, providing for the manner of construction of said pavement, and amending Chapter two hundred seventy-six (276) of the laws of the Thirty-Seventh General Assembly relating to the same matter.

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

House File No. 275, a bill for an act to amend the law as it appears in Section 2734-b, Supplemental Supplement to the Code, 1915, as amended by Chapter 317, Acts of the Thirty-Seventh General Assembly, relating to deputy county superintendents.

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

House File No. 482, a bill for an act to amend the law as it appears in section four hundred fifty-eight-c (458-c), supplement to the code, 1913, relating to claims for damages for killing or injury of domestic animals.

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

House File No. 314, a bill for an act to reimburse John Miller for services while acting as a Member of the Delaware County Guards.

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

House File No. 410, a bill for an act to amend Section 2778, Supplemental Supplement to the Code, 1915, relating to contracts with teachers.

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

By unanimous consent, Senator Stoddard called up House concurrent resolution relative to shipping supplies of members of the General Assembly to their homes.

#### CONCURRENT RESOLUTION.

*Be It Resolved by the House of Representatives, the Senate concurring,* that immediately upon adjournment the Adjutant General be and is hereby authorized and instructed to cause to be packed in boxes or other suitable containers the bill books, journals, stationery and other books and material of the members, and to ship them to the home addresses of the members as directed by the document shipping clerk, and that immediately upon adjournment the books which the members desire thus to be sent to their homes be placed on their desks and the Sergeants-at-Arms of the respective houses shall remain four days to have charge of the packing and care of the property.

On motion of Senator Stoddard, the Senate concurred in the resolution.

By unanimous consent, Senator Arney withdrew the amendment filed by him on March 26th to Senate File 371.

On motion of Senator Holdoegel, the Senate adjourned until 9:00 a. m. Tuesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 1, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. LeRoy C. Cooley, pastor of the First Presbyterian church of Red Oak.

## PETITIONS AND MEMORIALS.

Senator Hale presented a petition of citizens of Monticello favoring new road bill.

Referred to committee on highways.

Senator Hale presented a remonstrance of citizens of Cedar county against hard-surfaced roads.

Referred to committee on highways.

Senator Schaffter presented a petition of citizens of Hardin county favoring pending road bill.

Referred to committee on highways.

## INTRODUCTION OF BILLS.

By committee on judiciary No. 1, Senate File No. 509, a bill for an act requiring all newspapers, magazines and other periodicals published in the state, printed in any language other than English, to print in parallel columns a translation of the contents in the English language.

Read first and second time and passed on file.

## REPORTS OF COMMITTEES.

Senator Coburn, from the committee on agriculture, submitted the following report:

MR. PRESIDENT—Your committee on agriculture, to whom was referred House File No. 225, a bill for an act to prevent the spread of hog cholera and other diseases; regulating the business of disposing of the bodies of dead animals by the process of cooking, burying, or burning; providing for the issuance of licenses to persons, firms, and corporations, permitting them to follow such business; providing for the violation of any of its provisions and repealing conflicting laws, beg leave to report they have had the same under consideration and recommend the same do pass.

GEO. F. COBURN, *Chairman.*

Ordered passed on file.

Senator Wilson, from the committee on judiciary No. 1, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 1, to whom was referred Senate File No. 424, a bill for an act amending Chapter 2A, Supplement to the Code, 1913, relating to establishment of drainage districts, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. M. WILSON, *Chairman.*

On motion of Senator Wilson the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 182, a bill for an act to repeal section forty-six hundred twenty-three (4623), Supplement to the Code, 1913, and to enact a substitute therefor, relative to the introduction in evidence of books of accounts, account tickets, cards of account, account slips, loose leaf accounts and any other method of keeping accounts, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. M. WILSON, *Chairman.*

On motion of Senator Wilson the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 429, a bill for an act to repeal Paragraph four (4) of Section four thousand six hundred twenty-three (4623) of the Code, and to enact a substitute therefor, relating to the admissibility as evidence of loose leaf or card or other form of entry used in the ordinary course of business, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.



Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 256, a bill for an act to amend section thirty six hundred seventy-six (3676) and fifty three hundred sixty-nine (5369) of the Code, providing for selection of jury in civil and criminal cases by a jury of thirteen and that twelve of said jury may return a verdict, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. M. WILSON, *Chairman*.

On motion of Senator Wilson the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 511, a bill for an act to amend section thirty-one hundred eighty-one (3181), of the supplement to the Code, 1913, relating to the time persons may live together as husband and wife within this State subsequent to the date of their filing a decree of divorce, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. M. WILSON, *Chairman*.

On motion of Senator Wilson the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 307, a bill for an act relating to the lien of landlords and bailees and other persons having or claiming a common law or statutory lien upon personal property and providing a method of releasing such liens, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. M. WILSON, *Chairman*.

On motion of Senator Wilson the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 237, a bill for an act to amend Section three thousand one hundred two (3102) of the Code relating to the time of filing liens, 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:

Amend by striking out the words and figures "twelve (12) and thirteen (13)" found in line three (3) of the bill and inserting in lieu thereof the

word and figure "eleven (11) and twelve (12)".

J. M. WILSON, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 102, a bill for an act making it a misdemeanor to display, carry or exhibit a red flag with the intent to advocate, encourage or incite anarchy or treason, and providing a penalty therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman*.

Ordered passed on file.

#### SENATE FILE WITHDRAWN.

By unanimous consent, Senator Schaffter withdrew Senate File No. 328 from further consideration.

#### THIRD READING OF BILLS.

On motion of Senator Stoddard Senate File No. 456, a bill for an act granting additional powers to cities and municipalities and to the Board of Health in cities and municipalities, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendment was adopted:

Amend by striking out the catch words in sections 1, 2, and 3.

Senator Stoddard 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 vote was:

Ayes, 40.

Anderson	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Buser	Kimball	Scott
Byington	Kingland	Shane
Coburn	LeCompte	Smith
Edwards	Mitchell	Stephenson
Evans	Nelson	Stoddard
Fellows	Newberry	Taylor
Foskett	Parker	Thompson
Foster	Proudfoot	White
Fralley	Rainbow	Whitmore
Greenell	Ratcliff	Wilson
Hale		

Nays, none.

Absent or not voting, 10.

Adams	Cessna	Pitt
Arney	Kimberly	Price
Brookhart	Meredith	Van Alstine
Broxam		

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 Scott Senate File No. 457, a bill for an act to legalize the action and acts of the County Superintendent of Floyd County, Iowa, and of the Board of Directors and officers of the School Township of Union, in the County of Floyd, State of Iowa, preliminary to, and in connection with, a special election held on the 14th day of March, 1919, whereat there was submitted to the voters residing in or upon Section Seven (7), Eight (8), Nine (9), Ten (10), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), Thirty (30), Thirty-one (31), Thirty-two (32), Thirty-three (33), and Thirty-four (34), all of the Fifth Principal Meridian, within Union Township, Floyd County, Iowa, the question of the establishment of a consolidated independent school district comprising the said sections of land, to be known as Consolidated Independent School District of Marble Rock, in the County of Floyd, State of Iowa, and to legalize the said special election and all acts and proceedings leading up to and resulting in, the formation and establishment of said consolidated independent school district, and to validate and establish the formation of the said consolidated school district, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Scott 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 vote was:

Ayes, 38.

Anderson	Ball	Cessna
Balkema	Byington	Coburn

Edwards	Mitchell	Scott
Evans	Nelson	Shane
Fellows	Newberry	Smith
Foskett	Parker	Stephenson
Frailey	Pitt	Stoddard
Hale	Price	Taylor
Haskell	Proudfoot	Thompson
Holdoegel	Rainbow	White
Kimball	Ratcliff	Whitmore
Kingland	Rule	Wilson
LeCompte	Schaffter	

Nays, none.

Absent or not voting, 12.

Adams	Buser	Kimberly
Arney	Foster	Meredith
Brookhart	Greenell	Reed
Broxam	Horchem	Van Alstine

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

Senator Scott offered the following amendment to the title and moved its adoption:

Amend by inserting after the word "all" in line 11 of the title the following: "in township ninety-four north, Range seventeen west".

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Parker Senate File No. 504, a bill for an act to amend Section Nine Hundred Sixteen (916) of the Code relating to plats of additions in cities and towns, a committee bill, was taken up and considered.

The bill was read for information.

Senator Parker moved that the rules be suspended, the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

Senator Parker invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 26.

Adams	Edwards	Haskell
Balkema	Evans	Horchem
Ball	Foster	Kimball
Coburn	Frailey	Kingland

Parker	Schaffter	Van Alstine
Price	Scott	White
Proudfoot	Shane	Whitmore
Reed	Stephenson	Wilson
Rule	Stoddard	

## Nays, 18.

Anderson	Hale	Newberry
Broxam	Holdoegel	Rainbow
Buser	LeCompte	Ratcliff
Byington	Meredith	Smith
Cessna	Mitchell	Taylor
Fellows	Nelson	Thompson

## Absent or not voting, 6.

Arney	Foskett	Kimberly
Brookhart	Greenell	Pitt

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 Byington, Senate File No. 56, a bill for an act to indemnify and pay to C. A. Wissler the sum of Thirty-five Hundred Dollars (\$3500.00) for loss and damage sustained while in the discharge of his duty as an employee of the State at the State Sanitorium for the Treatment of Tuberculosis, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend the title by striking out of line two (2) thereof the words and figures "Thirty-five Hundred Dollars (\$3500.00)" and inserting in lieu thereof the words and figures "One Thousand Two Hundred and Eleven Dollars (\$1211.00)", and by striking out of line three (3) of said bill the words and figures "Thirty-five Hundred Dollars (\$3500.00)" and inserting in lieu thereof the words and figures "One Thousand Two Hundred and Eleven Dollars (\$1211.00)".

Senator Hale moved the previous question, which motion prevailed and the previous question was ordered.

Senator Byington 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.

Senator Byington invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

## Ayes, 30.

Anderson	Hale	Proudfoot
Arney	Holdoegel	Ratcliff
Balkema	Horchem	Reed
Ball	Kimball	Shane
Broxam	Kingland	Stephenson
Byington	Meredith	Stoddard
Cessna	Mitchell	Taylor
Evans	Nelson	Van Alstine
Foster	Newberry	Whitmore
Greenell	Parker	Wilson

## Nays, 13.

Brookhart	LeCompte	Scott
Buser	Price	Smith
Coburn	Rainbow	Thompson
Edwards	Rule	White
Fellows		

## Absent or not voting, 7.

Adams	Haskell	Pitt
Foskett	Kimberly	Schaffter
Fralley		

So the bill, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

On motion of Senator Foster Senate File No. 265, a bill for an act to repeal section five (5), Chapter forty (40), of the Acts of the 37th General Assembly of the State of Iowa, and to enact a substitute therefor, relating to the appointment, qualifications and salary of bank examiners, and to department assistants and expenses; to repeal section eighteen hundred seventy-five (1875), Supplemental Supplement to the code, 1915, and as amended by section five (5), chapter forty (40), of the Acts of the 37th General Assembly of the state of Iowa, and to enact a substitute therefor, relating to fees, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Price was called to the chair at 10:35 a. m.

Senator Foster moved that the minority report be substituted for the majority report.

Senator Arney invoked rule 8.

On the question, "Shall the minority report be substituted?" the vote was:

## Ayes, 24.

Anderson	Holdoegel	Price
Byington	Kimberly	Rainbow
Coburn	Kingland	Schaffter
Evans	LeCompte	Shane
Foskett	Mitchell	Stephenson
Foster	Nelson	Stoddard
Frailey	Parker	Taylor
Greenell	Pitt	Whitmore

## Nays, 20.

Arney	Fellows	Ratcliff
Balkema	Hale	Rule
Ball	Haskell	Scott
Brookhart	Kimball	Smith
Broxam	Meredith	White
Buser	Newberry	Wilson
Cessna	Proudfoot	

## Absent or not voting, 6.

Adams	Horchem	Thompson
Edwards	Reed	Van Alstine

The motion prevailed.

Senator Buser offered the following amendment and moved its adoption:

Amend Senate File No. 265 by striking from line 16 of section 2 the words and figures "twenty-five (\$25)" and inserting in lieu thereof the following "twenty (\$20)".

The amendment was adopted.

Senator Foster 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 vote was:

## Ayes, 33.

Adams	Foster	Price
Anderson	Frailey	Rainbow
Ball	Greenell	Rule
Broxam	Holdoegel	Schaffter
Buser	Horchem	Shane
Byington	Kimball	Stephenson
Coburn	Kimberly	Stoddard
Edwards	Kingland	Thompson
Evans	LeCompte	Van Alstine
Fellows	Mitchell	White
Foskett	Parker	Whitmore

Nays, 13.

Arney  
Brookhart  
Cessna  
Hale  
Haskell

Meredith  
Nelson  
Newberry  
Proudfoot

Ratcliff  
Scott  
Smith  
Wilson

Absent or not voting, 4.

Balkema  
Pitt

Reed

Taylor

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

President Moore resumed the chair at 11:25.

On motion of Senator Kingland, Senate Joint Resolution No. 8, a joint resolution proposing to amend the Constitution of the State 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, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kingland 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.

Senator Kingland invoked rule 8.

On the question, "Shall the joint resolution be adopted?" the vote was:

Ayes, 11.

Anderson  
Byington  
Edwards  
Evans

Holdoegel  
Horchem  
Kingland  
Nelson

Rainbow  
Ratcliff  
Whitmore

Nays, 31.

Arney  
Balkema  
Ball  
Brookhart  
Broxam  
Buser

Cessna  
Coburn  
Foskett  
Foster  
Fralley  
Greenell

Hale  
Haskell  
Kimball  
Kimberly  
LeCompte  
Meredith



Mitchell  
Newberry  
Parker  
Price  
Proudfoot

Rule  
Scott  
Shane  
Stephenson

Stoddard  
Thompson  
Van Aistine  
Wilson

Absent or not voting, 8.

Adams  
Fellows  
Pitt

Reed  
Schaffter  
Smith

Taylor  
White

So the joint resolution having failed to receive a constitutional majority was declared to have failed to be adopted by the Senate.

#### BILL SIGNED BY THE GOVERNOR.

A communication was received from the governor saying he had on March 31, 1919, approved and signed Senate File No. 475.

#### SPECIAL ORDER.

On motion of Senator Wilson, Senate File No. 478 was made a special order for Thursday, April 3d at 11:00 o'clock.

#### MOTION TO RECONSIDER FILED.

*Mr. President:*

I move to reconsider the vote by which Senate File No. 56 failed to pass, also to reconsider the vote by which the same passed to its third reading.

J. L. BROOKHART.

#### THIRD READING OF BILLS.

On motion of Senator Holdoegel, Senate File No. 480, a bill for an act to amend the law as it appears in Section one hundred sixty-one-a (161-a), Supplement to the Code, 1913, relating to the settlement with state officers, appointment of expert accountant and assistants, powers of Executive Council, and to enact a substitute therefor, by the committee on departmental affairs, with report of committee on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend the pending bill by adding to Section one (1) the following:

"Provided that nothing herein shall be construed so as to interfere with the system of taking care, and management of the institutions under the charge of the Board of Control or the State Board of Education.

The amendment was adopted.

Senator Kimball moved that further action be deferred on the bill until tomorrow.

On motion of Senator Rule, Senate adjourned until 1:30 p. m.

### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

Senate resumed consideration of Senate File No. 480.

The motion of Senator Kimball to defer action on this bill until tomorrow, was lost.

Senator Holdoegel 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 vote was:

Ayes, 37.

Adams	Foster	Price
Anderson	Greenell	Proudfoot
Arney	Hale	Rainbow
Balkema	Haskell	Rule
Ball	Holdoegel	Schaffter
Broxam	Horchem	Scott
Buser	Kimberly	Stephenson
Byington	LeCompte	Stoddard
Coburn	Meredith	Thompson
Edwards	Mitchell	Whitmore
Evans	Newberry	Wilson
Fellows	Parker	
Foskett	Pitt	

Nays, 1.

Kingland

Absent or not voting, 12.

Brockhart	Nelson	Smith
Cessna	Ratcliff	Taylor
Frailey	Reed	Van Alstine
Kimball	Shane	White

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

Senator Wilson offered the following amendment to the title and moved its adoption:

Amend the title by adding thereto the following words: "excluding the management of the institutions under the Board of Control and Board of Education therefrom." and by striking the period at end of title and inserting a comma in lieu of same.

The amendment was adopted and the title as amended was agreed to.

#### MOTION TO RECONSIDER.

Senator Wilson moved that the vote be reconsidered whereby the committee report was adopted indefinitely postponing House File No. 307.

The motion to reconsider prevailed and the bill was ordered placed on the calendar.

#### HOUSE AMENDMENTS CONCURRED IN.

Senator Hale called up Senate File No. 29, amended by the House, and moved that the Senate concur in the following House amendments:

Amend by striking out the words and figures \$442,075.00 in section 1 and inserting in lieu thereof \$417,075.00.

Also by striking out of lines 1 and 2, Section 1, the words and figures "eight hundred eighty-four thousand, one hundred fifty dollars (\$884,150.00)" and inserting in lieu thereof the words and figures "eight hundred thirty-four thousand, one hundred and fifty dollars (\$834,150.00)".

Also by striking out of lines 2 and 3, Section 17, the words and figures "one hundred thousand dollars (\$100,000.00)" and inserting in lieu thereof "fifty thousand dollars (\$50,000.00)".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 40.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Brookhart  
Broxam

Buser  
Byington  
Coburn  
Edwards  
Evans  
Fellows  
Foskett

Foster  
Greenell  
Hale  
Haskell  
Holdoegel  
Horchem  
Kimberly

Kingland	Price	Scott
LeCompte	Proudford	Stoddard
Meredith	Rainbow	Taylor
Mitchell	Reed	Thompson
Newberry	Rule	Whitmore
Parker	Schaffter	Wilson
Pitt		

Nays, none.

Absent or not voting, 10.

Cessna	Ratcliff	Stephenson
Fralley	Shane	Van Alstine
Kimball	Smith	White
Nelson		

The House amendments, having received a constitutional majority, were declared to have been concurred in by the Senate.

#### HOUSE AMENDMENTS CONCURRED IN.

Senator Holdoegel called up Senate File No. 154, amended by the House, and moved that the Senate concur in the following House amendments:

Amend by inserting following the words "State Teachers College" the words "State University of Iowa" and "College of Agriculture and Mechanic Arts".

Also by inserting after the words "State Teachers College" in the last line of Section 1, the words "State University of Iowa" and the words "College of Agriculture and Mechanic Arts."

Also, by striking out after the word "as" in said line the word "a" and by adding the letter "s" to the end of the word "school" in the last line of said section one, line 4.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 39.

Adams	Foster	Price
Anderson	Fralley	Proudford
Arney	Greenell	Rainbow
Balkema	Hale	Reed
Brookhart	Holdoegel	Rule
Broxam	Horchem	Scott
Buser	Kimberly	Shane
Byington	Kingland	Stephenson
Coburn	Meredith	Stoddard
Edwards	Mitchell	Taylor
Evans	Newberry	Thompson
Fellows	Parker	Whitmore
Foskett	Pitt	Wilson

Nays, none.

Absent or not voting, 11.

Ball	LeCompte	Smith
Cessna	Nelson	Van Alstine
Haskell	Ratcliff	White
Kimball	Schaffter	

The House amendments, having received a constitutional majority, were declared to have been concurred in by the Senate.

### THIRD READING OF BILLS.

On motion of Senator Wilson, Senate File No. 498, a bill for an act to amend chapter ten (10), title three (3) of the code relating to attorneys and counselors and the practice of law and prescribing the duties of attorneys and counselors and making it unlawful for corporations to act as attorneys at law or to give legal advice and providing penalties for the violation of this act, a committee bill, was taken up and considered.

The bill was read for information.

On request of Senator Wilson, further action was deferred.

On motion of Senator Edwards, House File No. 502, a bill for an act to appropriate funds for the construction and equipment of a cottage for the training school for girls at Mitchellville, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Adams	Fellows	Mitchell
Anderson	Foskett	Parker
Balkema	Foster	Pitt
Ball	Greenell	Price
Brookhart	Hale	Proudfoot
Buser	Haskell	Rainbow
Byington	Holdoegel	Reed
Coburn	Horchem	Rule
Edwards	Kimberly	Schaffter
Evans	Meredith	Scott

Shane  
Stephenson  
Stoddard

Taylor  
Thompson

Van Alstine  
Wilson

Nays, none.

Absent or not voting, 13.

Arney  
Broxam  
Cessna  
Fralley  
Kimball

Kingland  
LeCompte  
Nelson  
Newberry

Ratcliff  
Smith  
White  
Whitmore

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 Stoddard, Senate File No. 416, a bill for an act to provide for the appointment of a special county auditor by the board of supervisors in counties with a population of more than forty thousand (40,000) subject to the approval of the state auditor and prescribing the duties of the said special auditor and fixing the salary thereof, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out all thereof following the enacting clause and adding in lieu of the portion struck out the following:

SECTION 1. That in counties having a population of Forty Thousand (40,000) or more, the board of supervisors may, at any regular meeting thereof, appoint a special auditor whose duties are hereinafter set out. Within five days of the appointment of such special auditor the county auditor shall notify the auditor of state of such appointment in writing, stating the post office address of such appointee, the date of said appointment and the date the same is to take effect, which last shall not be less than ten days after the date of said appointment. Written objections to such appointment may be filed with either the county auditor or the auditor of state and any such objections shall be transcribed from the officer receiving the same to the other, forthwith, and the nature of the objections and the names of the objectors shall be made known to each member of the board of supervisors by the county auditor at once. If, by reason of such objections, a special meeting of the said board of supervisors is called as provided by statute, the said board of supervisors may rescind such appointment and proceed as before to make another appointment as though the first had not been made, which action shall be transcribed to the auditor of state at once by the county auditor. All objections filed with the auditor of state either directly or by transcript from the

county auditor shall be considered by the said auditor of state and especially such objections as raise the fitness of the said appointee on the grounds of lack of ability as an accountant, business experience or of any physical defect that unfits the said appointee for the position and he shall make such investigation as will satisfy him as to the advisability of confirming such appointment or rejecting the same. Should no objections be filed with or transcribed to him by the county auditor he shall confirm such appointment within ten days. When objections have been filed with the auditor of state or transcribed to him by the county auditor, he may, should he so desire, call an open hearing on such objections, of which he shall notify the objectors and the county auditor, who shall in turn notify each member of the board of supervisors, said call to state the place and date or time of such hearing and should it become necessary or advisable the auditor of state may adjourn such hearing and notice of same shall be given as hereinbefore set out for the original open hearing. Such adjournment may be had from time to time; but in no case shall there be more than fifteen days between such adjournments. After due consideration, when objections have been filed with the auditor of state or transcribed to him by the county auditor, he may affirm or refuse to affirm such appointment. In either case he shall forthwith notify the county auditor, who shall in turn, forthwith, notify each member of the board of supervisors, and if such affirmation is refused the notice from the county auditor to the members of the board of supervisors shall also fix a place and time for a meeting of the board of supervisors not less than ten days nor more than fifteen days from the date of said notice from the auditor of state, at which meeting the appointment may be again taken up as in the first instance. This method may be continued until a suitable person is finally appointed and his appointment confirmed by the auditor of state. The appointee shall be a person with reasonable business experience, a reasonable knowledge of accounting and of accounts in the several county offices and also a reasonable knowledge of the law pertaining to county offices and county affairs. It is not necessary that the appointee shall be a resident of the county prior to the appointment and confirmation, but should such appointment be made, confirmed and accepted, such person shall, without unreasonable delay, make the county seat of such county his residence.

Sec. 2. The special auditor shall be furnished with suitable office room, office furniture, the necessary books and stationery as well as a suitable place for stock.

Sec. 3. It shall be the duty of the special auditor to be present at and keep the minutes of the board of supervisors, except such proceedings as are recorded in the drainage record only, being those after the district has been established. He shall furnish a copy to each of the official newspapers of such proceedings, signed by the chairman and attested by said special auditor, together with such other matter, such as reports, etc., that is now, or may hereafter, be required by law to be published with or as a part of the proceedings of the board of supervisors. Such copy shall be furnished to the said newspapers not more than four working days after the adjournment of the said board of supervisors, except

when the said board adjourns from day to day or to meet in adjourned session within one week, in which instance he shall furnish such copy not more than four working days after the last of such adjournments. It shall also be his duty to see that such minutes are published without unreasonable delay under any rule that may be laid down by the board of supervisors and that said minutes are published without padding, nor shall such matter be abbreviated or abridged so that they are not understandable by the ordinary reader. He shall require a copy of such proceedings as they appeared in said newspaper to be filed with the claim for the printing of same, and he shall measure and figure the amount due for the publication thereof, as well as for all other publishing and printing, for which the county is to pay; including all official notices, election notices, publication of ballot, the printing of the ballots, publishing of advertisements, etc., so as to determine the correctness of the claim therefor; using as his guide in the matter of publishing and computing, the pamphlet issued by the State on County Printing. Copies of each of the above for which claim is filed shall be attached to, or accompany, the claim against the county.

SEC. 4. It shall be the duty of the special auditor to purchase, by requisition system, all books, blanks, records, vouchers, receipts, etc., and to see that the same conform to the forms prescribed by the auditor of state agreeable to section one hundred-e of the supplement to the code, 1913. To purchase all miscellaneous office supplies such as are in common use in the several county offices, such as typewriter ribbons, paper, carbon, pencils, pens, inks, rubber bands, erasers, etc., and to keep a stock of such supplies compatible with the fluctuation of prices thereof and the amount liable to be called for; to issue the same in any reasonable number or amount on written requisition to any officer entitled thereto, keeping a record of purchases and distribution, making a continuous invoice of each of such articles. If, to save money, the purchase of an unusual number or quantity of any of such article or articles is contemplated, he shall consult with and have the sanction of at least one member of the board of supervisors. He may make reasonable expenditure of money in the discharge of his official duty or in the purchase of books, blanks and supplies for the county, subject, however, to the approval and ratification of the board of supervisors.

SEC. 5. He shall, upon request of any member of the board of supervisors, obtain quotations on road and bridge material and supplies, including machinery and repairs; or on any other machine or device for office or other purposes, or any other article or commodity used by counties, and upon an order of the board of supervisors, he shall conduct the correspondence relative thereto and make such purchases thereof as ordered by them.

SEC. 6. He shall have charge of the accounts of the county against any inmate of any state or county institution, or the person liable for the support of such person. He shall gather such data in each instance, when possible, to determine the legal residence, the means of support, if any, or the person liable for support, if any, the relationship of such person,



post office address and any other information possible to gather, which may render aid in the matter of collecting for such support, or of placing the burden of such support upon another county wherein the other county is legally liable therefor or for placing the burden of such support upon the state where the state should take over such burden. He shall render bills for the support of such persons and see that the same are paid to the county treasurer where collection is possible, and it shall be his special duty to endeavor to make such collection from a guardian or executor or other person in charge of money or other property belonging to, or to which they become heir, subject to the orders of the board of supervisors. When such collection shall have been made, to give proper credit therefor. To gather data relative to poor persons attempting to gain a residence in, or obtain aid in any form from the county, and to determine as to the legal status of such person or persons and when it is found that they should be supported by another county, to notify such person or persons to remove from the county and also to notify the county liable for such support as provided by law.

SEC. 7. He shall number all claims against the county as prescribed by law and list the same, and he shall also keep an expenditure docket. He shall make such reports and at such times as may be required of him by the auditor of state or the board of supervisors. He shall also, without request, make a monthly statement to the board of supervisors showing the expenditures of the month in each of the several funds under the control of the said board together with a comparative statement of expenditures for the corresponding month for the two years previous thereto. A copy thereof to be filed with the county auditor and each member of the board of supervisors.

SEC. 8. It shall be the duty of the special auditor to investigate each claim filed against the county before being acted upon by the board of supervisors, such investigation to include extensions, computations and additions, to determine also whether the claim is a duplicate of some former claim or any part thereof, to determine, if possible, whether the claim is a legal claim against the county and for this purpose he may require the claimant to set out the section in the statutes providing for the payment of such claim, also whether it be sworn to as prescribed by statute or by any order of the board of supervisors. To show on supply claims who ordered and received the goods, the disposition of same or by whom used or stored. The board of supervisors may make any other rule or rules they may deem advisable with which he shall comply. He shall note any error in or duplication of claim, but he shall not alter any claim except at the request of the claimant. The amount to be allowed to rest with the board of supervisors.

SEC. 9. The county auditor shall be and is hereby relieved of any duplication of the above work, but is required to furnish to the said special auditor the data in his office necessary for the said special auditor to properly keep up his records, including a list of amounts, allowed on the several claims and the warrants issued in payment thereof, showing the fund upon which drawn, the number and amount as well as to whom

drawn. Also any and all other information in his office necessary for the said special auditor to have in order to do his work according to law.

SEC. 10. The term of office of the special auditor shall be two years, except that the term of the first special auditor appointed in the county shall expire on the second secular day of January of the first even numbered year following such appointment and his successor should be appointed prior to the expiration of such term. He may be removed by the board of supervisors or the auditor of state prior to the expiration of his term of office for cause.

SEC. 11. The board of supervisors may fix the salary of the special auditor at a sum not less than seventy-five per cent nor more than ninety per cent of that of the county auditor. Said salary to be paid monthly at the end of each month.

SEC. 12. The board of supervisors shall require an official bond in a sum of not less than two thousand dollars (\$2,000) and being the same in form as those furnished by county officers and their deputies. The said bond to be approved by the board of supervisors and filed with the county auditor.

Senator Stoddard 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 vote was:

Ayes, 33.

Adams	Foster	Rainbow
Anderson	Frailey	Ratcliff
Baikema	Greenell	Reed
Ball	Hale	Rule
Byington	Haldoegel	Schaffter
Cessna	Horchem	Scott
Coburn	Kimberly	Shane
Edwards	Mitchell	Stephenson
Evans	Newberry	Stoddard
Fellows	Price	Van Alstine
Foskett	Proudfoot	White

Nays, 9.

Buser	Nelson	Taylor
Haskell	Parker	Thompson
LeCompte	Smith	Wilson

Absent or not voting, 8.

Arney	Kimball	Pitt
Brookhart	Kingland	Whitmore
Broxam	Meredith	

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 Greenell, Senate File No. 462, a bill for an act amending sections two hundred fifty-four-a-eighteen (254-a18) and two hundred fifty four- a- twenty-nine (254-a29), supplement to the code, 1913, relating to probation officers and detention homes, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Holdoegel moved the adoption of the following amendment previously filed by him :

Amend by striking from the bill section one and numbering section 2 as section 1.

The amendment was adopted.

Senator Greenell 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 vote was :

Ayes, 42.

Adams	Frailey	Ratcliff
Anderson	Greenell	Reed
Balkema	Hale	Rule
Ball	Haskell	Schaffter
Brookhart	Holdoegel	Scott
Broxam	Horchem	Shane
Buser	Kimberly	Smith
Cessna	Kingland	Stephenson
Coburn	Nelson	Stoddard
Edwards	Newberry	Taylor
Evans	Parker	Thompson
Fellows	Pitt	Van Alstine
Foskett	Price	White
Poster	Proudfoot	Wilson

Nays, none.

Absent or not voting, 8.

Arney	LeCompte	Rainbow
Byington	Meredith	Whitmore
Kimball	Mitchell	

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

Senator Holdoegel offered the following amendment to the title and moved its adoption:

Amend by striking out the words and figures "Sections two hundred fifty four-a-eighteen (254-a-18) and" and inserting in lieu thereof the word "Section".

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Parker, House File No. 108, a bill for an act to amend section twenty-seven hundred twenty-two-j (2722-j) of the supplemental supplement to the Code, 1915, relating to the benefit that the county board of supervisors may allow persons who have been declared to be blind, and providing who shall be entitled to receive the same, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend the title by inserting immediately preceding the word "of" of the first line of the title to the bill the following words: "and section twenty-seven hundred twenty-two-k (2722-k).

Amend by striking all after the enacting clause and substituting in lieu thereof the following:

SECTION 1. That section two thousand seven hundred twenty-two-j (2722-j) supplemental supplement to the code, 1915, be and the same is hereby repealed and the following substituted in lieu thereof: "That all male citizens over the age of twenty-one years, and all female citizens over the age of eighteen years, who are declared to be blind in the manner hereinafter set forth, and who come within the provisions of this act shall receive as a benefit a sum not less than one hundred fifty dollars (\$150.00) per annum, and not more than three hundred dollars (\$300.00) per annum, payable quarterly, upon warrants properly drawn upon the treasurer of the county of which such citizen or citizens are residents. The board of supervisors of the county shall at their discretion determine what sum between one hundred fifty dollars and three hundred shall go to such citizen or citizens."

Sec. 2. By striking out all of line two after the word "institution" of section 2722-k of the supplemental supplement to the code, 1915, and all prior to the comma in the third line of said section and substituting in lieu thereof the words "in this state."

Senator Proudfoot was called to the chair at 2:45.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 41.

Adams	Frailey	Proudfoot
Anderson	Greenell	Ratcliff
Balkema	Hale	Reed
Ball	Haskell	Rule
Brookhart	Holdoegel	Schaffter
Broxam	Horchem	Scott
Buser	Kimberly	Shane
Byington	Kingland	Stephenson
Coburn	LeCompte	Stoddard
Edwards	Meredith	Taylor
Evans	Nelson	Thompson
Fellows	Newberry	White
Foskett	Parker	Wilson
Foster	Pitt	

Nays, 2.

Price	Rainbow
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Absent or not voting, 7.

Arney	Mitchell	Van Alstine
Cessna	Smith	Whitmore
Kimball		

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

Senator Parker offered the following amendment to the title and moved its adoption:

I move to amend the title to H. F. No. 108 by striking out the word "amend" in line 1 and inserting "repeal" in lieu thereof and by inserting the words "or shall" following the word "may" in line 3 and by inserting the word "amend" before the word "section" where it occurs in the title preceding the words "twenty-seven hundred twenty-two-j."

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Foster, House File No. 391, a bill for an act to legalize certain warrants of the City of Perry, Iowa, with

report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 39.

Anderson	Holdoegel	Reed
Balkema	Horchem	Rule
Ball	Kimberly	Schaffter
Brookhart	Kingland	Scott
Buser	Meredith	Shane
Cessna	Nelson	Smith
Evans	Newberry	Stephenson
Fellows	Parker	Stoddard
Foskett	Pitt	Taylor
Foster	Price	Thompson
Frailey	Proudfoot	Van Alstine
Hale	Rainbow	White
Haskell	Ratcliff	Wilson

Nays, none.

Absent or not voting, 11.

Adams	Coburn	LeCompte
Arney	Edwards	Mitchell
Broxam	Greenell	Whitmore
Byington	Kimball	

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 Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred Senate File No. 470, a bill for an act to promote the child life of urban communities by providing suitable out door diversion, physical and moral training, wholesome and productive employment of a voluntary character; empowering the Board of Directors of any public school of any city, town or village in the State of Iowa, to plan and provide for such diversion, training and employment, and authorizing such board to use a portion of the school fund under its control in financing any such plan so

proposed, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Senator Foskett, from the committee on appropriations, submitted the following report:

MR. PRESIDENT—Your committee on appropriations, to whom was referred Senate File No. 315, a bill for an act to encourage the establishment and maintenance of educational and sociological activities in connection with the public schools, beg leave to report they have had the same under consideration and recommend that the attached committee bill be substituted therefor.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By committee on appropriations, Senate File No. 510, a bill for an act to encourage boards to provide the school children of their respective districts with agricultural training work and recreation in the manner contemplated by Chapter 14-E, Title XIII, Supplemental Supplement to the Code, 1915, providing state aid to all such school districts, fixing the terms and conditions under which such state aid shall be granted, and appropriating the sum of Two Thousand Dollars (\$2,000.00) to carry out the purpose of this act.

Read first and second time and passed on file.

By committee on county and township affairs, Senate File No. 511, a bill for an act to amend section two hundred and fifty-four-a twenty (254-a20) of the supplement to the code, 1913, relating to financial aid for widowed mothers.

Read first and second time and passed on file.

By committee on county and township affairs, Senate File No. 512, a bill for an act to amend Section nineteen hundred eighty-nine-a-twenty six, (1989-a-26), Supplement to the Code, 1913, providing for the payment of special assessments for levies, ditches, drains, etc.

Read first and second time and 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. 467, a bill for an act to amend chapter eight-a (8-a), title sixteen (16), supplement to the code, 1913, relating to the care of friendless children and legalizing the surrender of children to the societies designated in said chapter and legalizing the apprenticing and adopting out by such societies.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 358, a bill for an act to amend the law as it appears in sections thirteen hundred six-b (1306-b), thirteen hundred six-c (1306-c), and thirteen hundred six-d (1306-d), supplement to the code, 1913, and chapter eighty-five (85), acts of the thirty-seventh general assembly, relating to the limitations of indebtedness which may be incurred by counties and other political or municipal corporations and the issuance of bonds in cities and towns.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 357, a bill for an act authorizing the issuance of sewer bonds by cities and towns, including cities operating under the commission form of government.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 defining group life insurance, authorizing chapter six (6) life insurance companies to issue contracts providing for such group life insurance, fixing the terms under which such group life insurance can be written, prescribing certain provisions and conditions to be embodied in such a life insurance contract, and waiving the medical examination required by section seventeen hundred eighty-three-b (1783-b), supplement to the code, 1913, in all cases of such group life insurance.

W. C. RAMSAY, *Chief Clerk.*



Also:

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. 331, a bill for an act to amend Section 5076 of the Code, in regard to frauds upon hotel keepers and hospitals and providing a penalty for the violation thereof.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 232, a bill for an act to amend Section Thirty-One Hundred Forty Two (3142) of The Code relating to the issuance of marriage license.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 128, a bill for an act to amend section 4230 of the Code relating to boundaries.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 227, a bill for an act to establish a home for dependent, neglected, delinquent or destitute children, residents of Iowa, as defined by the laws of the State of Iowa, to secure necessary grounds, site, buildings and equipment therefor, conferring full power to manage, control and govern the same upon the Board of Control of State institutions, and to make necessary appropriations therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 321, a bill for an act to amend section five thousand sixty-seven-a (5067-a) of the supplement to the Code, 1913, relating to combinations, pools and trusts, and excepting labor unions from the operation of said section.

#### HOUSE AMENDMENTS.

Amend Senate File No. 321 by inserting in Section 1, line 7, between the words "being" and "is", the words, "either mental or physical";

By striking out the word "working", from line 8; and by striking out the word "labor", from line 9.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 9.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 467, a bill for an act to amend chapter eight-a (8-a), title sixteen (16), supplement to the code, 1913, relating to the care of friendless children and legalizing the surrender of children to the societies designated in said chapter and legalizing the apprenticing and adopting out by such societies.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 358, a bill for an act to amend the law as it appears in sections thirteen hundred six-b (1306-b), thirteen hundred six-c (1306-c), and thirteen hundred six-d (1306-d), supplement to the code, 1913, and chapter eighty-five (85), acts of the thirty-seventh general assembly, relating to the limitations of indebtedness which may be incurred by counties and other political or municipal corporations and the issuance of bonds in cities and towns.

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

House File No. 357, a bill for an act authorizing the issuance of sewer bonds by cities and towns, including cities operating under the commission form of government.

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

House File No. 546, a bill for an act defining group life insurance, authorizing chapter six (6) life insurance companies to issue contracts providing for such group life insurance, fixing the terms under which such group life insurance can be written, prescribing certain provisions and conditions to be embodied in such life insurance contract, and waiving the medical examination required by section seventeen hundred eighty-three-b (1783-b). supplement to the code, 1913, in all cases of group life insurance.

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

#### REPORT ON COMMITTEE CLERK.

MR. PRESIDENT—Your committee, to which was referred the matter of examining applicants for positions as clerk and stenographer, begs leave to report it has examined and found proficient Jeanette Sherman, who has been assigned to Senator Van Alstine in place of Johanna Schellin, resigned.

We recommend that Miss Sherman be employed, and that her employment date from March 31st, when she began work and on which date Johanna Schellin resigned.

Respectfully,

EUGENE SCHAFFNER, *Chairman.*

#### SENATE FILES WITHDRAWN.

By unanimous consent, Senator Price withdrew Senate File No. 3 from further consideration.

By unanimous consent, Senator Foskett withdrew Senate File No. 233 from further consideration.

By unanimous consent, Senator Parker withdrew Senate File No. 106 from further consideration.

#### HOUSE FILE NO. 325 REFERRED.

On request of Senator Edwards, House File No. 325 was recalled from the committee on elections and referred to the committee on appropriations.

## AMENDMENT FILED.

Senator Proudfoot filed the following amendment and asked that it be printed in the journal:

Amend Senate File No. 159 as follows:

By striking out all after the enacting clause and substituting in lieu thereof the following:

SECTION 1. That Chapter Eight-a (8-a) of Title Twelve (XII) of the Supplement to the Code 1913, and all acts amendatory thereof be amended by adding the following to said chapter:

"Wherever the words 'fifty per cent' appear in any part of said chapter they shall be stricken out and the words 'sixty per cent' shall be substituted therefor."

On motion of Senator Foster, Senate adjourned until 9:00 a. m., Wednesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 2, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. James I. Dool, pastor of the Presbyterian church of Greenfield.

## PETITIONS AND MEMORIALS.

Senator Hale presented a petition of citizens of Lowden in favor of Senate File No. 478.

Referred to committee on motor vehicles.

Senator Fellows presented a remonstrance of citizens of Fayette county against hard surfaced roads.

Referred to committee on highways.

Senator Schaffter presented a petition of citizens of Hardin county favoring road bill.

Referred to committee on highways.

Senator Stephenson presented a petition of citizens of Decatur county favoring protection of quail and prairie chicken.

Referred to committee on fish and game.

## INTRODUCTION OF BILLS.

By committee on cities and towns, Senate File No. 513, a bill for an act to amend the law as it appears in Section eight hundred twenty-three (823) of the Supplement to the Code, 1913, relating to the publication and posting of notices of assessment.

Read first and second time and passed on file.

By committee on cities and towns, Senate File No. 514, a bill for an act to amend the law as it appears in Section eight hundred thirteen (813) of the Supplemental Supplement to the Code, 1915, relating to the giving of notices for bids.

Read first and second time and passed on file.

By committee on cities and towns, Senate File No. 515, a bill for an act to amend the law as it appears in Section eight hundred ten (810) of the Supplemental Supplement to the Code, 1915, relating to the publication and posting of notices of hearing on resolution of necessity.

Read first and second time and passed on file.

By committee on appropriations, Senate File No. 516, a bill for an act to authorize the construction of a spur track by the state of Iowa, to the Iowa Soldiers' Home at Marshalltown, Iowa, and to make an appropriation therefor.

Read first and second time and passed on file.

#### SENATE RESOLUTION.

Senator Smith offered the following resolution:

*Whereas*, the need of careful consideration of bills in committees is most imperative at this time, and

*Whereas*, the practice of calling several important committees at the same hour does not permit the proper consideration of bills in the committees,

*Therefore Be It Resolved*, that the chairmen of the various committees be requested to send committee announcements to the desk not later than 1:00 P. M. That the approximate time required for committee meeting be stated and that the clerk of the Senate be authorized to arrange committee meetings according to the information at the desk and announce the same immediately before daily adjournment.

By unanimous consent, the resolution was taken up, considered and adopted.

#### REPORTS OF COMMITTEES.

Senator Parker, 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. 228, a bill for an act to repeal Chapter 8-A of Title V of the Supplement to the Code, 1913, and to enact a substitute therefor

authorizing cities to protect property within their limits from danger and damage from floods and high water, by deepening, widening, straightening, altering, diverting, changing or otherwise improving water courses within their limits, by constructing levees, embankments, or conduits therefor, and to provide for the levy of special assessments and other taxes to defray the expenses of such improvements, and the issuance of bonds and certificates in anticipation of such taxes and special assessments. Additional to Chapter seven (7) and eight (8) of Title V. of the Code, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 252, a bill for an act to repeal Section seven hundred forty-one-f (741-f), Supplemental Supplement to the Code, 1915, as amended by Chapter one hundred eighty-two (182) and Chapter two hundred twenty (220), of the Acts of the Thirty-seventh General Assembly, 1917, relating to the limit of indebtedness in the issuance of city or town hall bonds, and to enact the following in lieu thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 264, a bill for an act to amend Section 254-a23 of the Supplement to the Code, 1913, relating to Juvenile Courts, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 452, a bill for an act to repeal Section eight hundred fourteen (814) of the Supplement to the Code of 1913, and enacting a substitute therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 419, a bill for an act to amend Section ten hundred and nine (1009), Code, relating to the issuance of warrants in special chartered cities, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 72, a bill for an act to repeal the law as it appears in Section seven hundred sixteen-b (716-b), Supplement to the Code, 1913, as amended by Chapter one hundred fifty-one (151), Acts of the Thirty-seventh General Assembly, relative to levying taxes by cities and towns for the purpose of equipping fire departments, and enacting a substitute therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 64 by Lake, a bill for an act to amend Section seven hundred eighty-two (782) of the Code, relating to the powers of cities and towns in reference to grades and grading, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman.*

On motion of Senator Parker, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on cities and towns, to whom was referred Senate File No. 235 by Balkema, a bill for an act to authorize cities and towns to construct all street improvements including grading, sewers and sidewalks and to repair the same, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman.*

On motion of Senator Parker, the report of the committee was adopted and the bill indefinitely postponed.



Also:

Your committee on cities and towns, to whom was referred Senate File No. 286 by Kimball, a bill for an act to amend Section seven hundred fifty-one (751), Supplemental Supplement to the Code, 1915, and relating to the assessment of the cost of extension, repairs and improvement of streets, highways, avenues and alleys, and the taxing of the same to adjacent and abutting property, and fixing district in which adjacent property is to be assessed, and the manner by determining the benefits derived from such extension, repairs and improvements, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman*.

The report of the committee was rejected and the bill ordered placed on the calendar.

Senator Foskett, from the committee on appropriations, submitted the following report:

MR. PRESIDENT—Your committee on appropriations, to whom was referred House File No. 533, a bill for an act making an appropriation for the farmers' institute of Franklin County, Iowa, under the provisions of Section 1675, Supplement to the Code, 1907, 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:

Amend the title by striking out the words and figures "of Iowa 1907" and inserting in lieu thereof a comma followed by the figures "1913".

Further amend the bill by striking out of Line Six (6) thereof the words and figures "of Iowa 1907" and inserting in lieu thereof a comma followed by the figures "1913".

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred House File No. 206, a bill for an act to amend Section 2634-b8, Supplement to the Code, 1913, relating to the appropriation for aid to normal training high schools 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:

Amend by striking out all after the enacting clause and inserting the following in lieu thereof:

SECTION 1. That Section twenty-six hundred thirty-four-b8 (2634-b8), Supplement to the Code, 1913, be and the same is hereby amended by striking out all after the word "of" in line six (6) thereof and inserting

in lieu thereof the words "one hundred fifty thousand dollars annually hereafter".

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred Senate File No. 300, a bill for an act to repeal the law as it appears in section twenty-seven hundred seventy-eight-b (2778-b), supplement to the Code, 1913, and to amend the law as it appears in section twenty-seven hundred seventy-eight-c (2778-c), supplement to the Code, 1913, and to repeal the law as it appears in section twenty-seven hundred seventy-eight-a (2778-a) supplement to the Code 1913, relating to minimum salaries for teachers 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 and when so amended the bill do pass:

Amend by striking out all of said bill after the enacting clause, and substituting the following in lieu thereof:

SECTION 1. That the law as it appears in section twenty-seven hundred seventy-eight-b (2778-b), Supplement to the Code, 1913, be and the same is hereby repealed, and that the law as it appears in section twenty-seven hundred seventy-eight-c (2778-c), Supplement to the Code, 1913, be and the same is hereby amended by inserting a period in the third line thereof after the word "fixed" and by striking from said section after the word "fixed" the following: "for the grade certificate held by such public school teachers," and that the law as it appears in section twenty-seven hundred and seventy-eight-a (2778-a), Supplement to the Code, 1913, is hereby repealed and the following enacted in lieu thereof:

All teachers in the public schools of this state, shall be paid for their services a minimum wage of not less than the amounts hereinafter set forth:

1. A teacher who has completed a four-year college course and received a degree from an approved college and who is the holder of a state certificate or a state diploma shall receive a minimum wage of one hundred dollars (\$100.00) per month until a successful teaching experience of two years in the public schools shall have been established. Thereafter, the minimum wage shall be one hundred and twenty dollars (\$120.00) per month.

2. A teacher who has completed a two-year course in education in a state normal school or other school whose diploma is recognized as an equivalent diploma by the state board of educational examiners and who shall be the holder of a state certificate, or who shall be the holder of state certificate issued upon examination, shall receive a minimum wage of eighty dollars (\$80.00) per month, until a successful teaching ex-

perience of two years in the public schools shall have been established. Thereafter, the minimum wage shall be one hundred dollars (\$100.00) per month.

3. A teacher who has completed a normal course in a normal training high school and who has had less than one year of successful teaching experience shall receive a minimum wage of sixty-five dollars (\$65.00) per month. A teacher who has completed a normal course in a normal training high school and who shall have had one year of successful teaching experience, and a teacher holding a first grade uniform county certificate, shall receive a minimum wage of seventy-five (\$75.00) per month until a successful experience of two years in the public schools shall have been established; thereafter, the minimum wage shall be eighty dollars (\$80.00) per month.

4. A teacher who is the holder of a second grade uniform county certificate shall receive a minimum wage of sixty dollars (\$60.00) per month until a successful experience of one year's duration in the public schools shall have been established. Thereafter, the minimum wage shall be sixty-five dollars (\$65.00) per month.

5. A teacher holding a third grade uniform county certificate shall receive a minimum wage of fifty dollars (\$50.00) per month.

**Sec. 2.** The holder of any certificate in order to become entitled to the increase in salary provided by this act because of successful teaching experience must file with the county superintendent his certificate, also proofs of one or two years of teaching experience as the law requires. If in the opinion of the county superintendent the proofs are satisfactory he shall endorse such findings on the back of said certificates and return the same to the holder thereof, and any certificate properly endorsed by the county superintendent shall be evidence of qualification for the increase of salary provided by this act for such teaching experience.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Also:

Your committee on public schools, to whom was referred Senate File No. 425, a bill for an act to amend the law as it appears in section twenty-six hundred twenty-nine (2629) supplement to the Code 1913, relating to certification of teachers, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Also:

Your committee on public schools, to whom was referred Senate File No. 357, a bill for an act to provide for the levy and collection of a tonnage tax on all coal mined and sold in Iowa, by coal mining companies and that the said tax shall be used for the support of schools where miners' children are educated, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

#### SENATE FILE WITHDRAWN.

By unanimous consent, Senator Newberry withdrew Senate File No. 487 from further consideration.

#### MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has 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 two thousand seven hundred and eighty-three (2783), Supplement to the Code, 1913, as amended by section seven (7) of chapter three hundred eighty-six (386), acts of the Thirty-Seventh General Assembly, relating to the use of the general fund for the purchase of school supplies.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 248, a bill for an act to authorize and empower the State Board of Control to lease the right to mine the coal from under all that portion of the present state fair ground lying east of a line running north and south two hundred (200) feet, east of the present poultry building.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGE CONSIDERED.

House File No. 484, a bill for an act to amend Section two thousand seven hundred and eighty-three (2783), Supplement to the Code, 1913, as amended by section seven (7) of chapter three hun-

dred eighty-six (386), acts of the Thirty-seventh General Assembly, relating to the use of the general fund for the purchase of school supplies.

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

#### MOTION TO RECONSIDER.

I move to reconsider the vote by which Senate File No. 424 was indefinitely postponed.

CLEM F. KIMBALL.

#### BILLS SIGNED BY THE GOVERNOR.

A communication was received from the governor saying that he had on April 2, 1919, approved and signed Senate Files Nos. 330, 205, 287, 224, 192, 316, 351, 363 and 193.

#### THIRD READING OF BILLS.

On motion of Senator Parker Senate File No. 404, a bill for an act to amend Chapter 8-B of title IX of the Supplement to the Code, 1913, as amended, relating to Consolidation, Reinsurance, Proportionate Representation, Licensing of Agents and Use of Proxies, by adding thereto after Section 1821-k thereof a provision of the issuance of a license to non-residents upon the filing of a bond, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Parker offered the following amendments and moved their adoption:

Amend by inserting the words "if a non-resident shall" following the word "agent" in line 5 of Section 1.

Also amend by inserting the word "life" following the second word "any" in the second line of Section 1.

The amendments were adopted.

Senator Parker 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 vote was:

Ayes, 39.

Adams	Foskett	Ratcliff
Anderson	Frailey	Reed
Arney	Hale	Rule
Balkema	Haskell	Schaffter
Ball	Horchem	Scott
Brookhart	Kimberly	Shane
Broxam	Kingland	Smith
Buser	Meredith	Stephenson
Byington	Nelson	Stoddard
Coburn	Newberry	Taylor
Edwards	Parker	Thompson
Evans	Price	White
Fellows	Rainbow	Whitmore

Nays, none.

Absent or not voting, 11.

Cessna	Kimball	Proudfoot
Foster	LeCompte	Van Alstine
Greenell	Mitchell	Wilson
Holdoegel	Pitt	

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 Schaffter, Senate File No. 431, a bill for an act to amend the law as it appears in Chapter five (5), Title six (VI) of the Code, relating to the election of presidential electors and to amend Section eleven hundred and seventy-three (1173), Supplement to the Code, 1913, and to provide that the right to vote for presidential electors shall not be abridged on account of sex, reported back without recommendation, was taken up and considered.

Senator Rule moved that the bill be re-referred to the committee on elections, to be reported back by tomorrow morning.

Senator Price moved the previous question on the motion to re-refer, which motion prevailed and the previous question was ordered.

The motion prevailed and the bill was re-referred to the committee on elections.

On motion of Senator Frailey, Senate File No. 159, a bill for

an act to promote the general welfare of the people of this state by creating a liability on the part of the employers to secure and compensate their employees and dependents, irrespective of the fault of either party, for personal injuries sustained by such employees when the same arise out of and in the course of their employment, and providing for such compensation and benefits, determining the conditions and terms under which certain employers and their employees may reject, and certain other employers and their employees may accept, the compensation provisions of this chapter; fixing the character and amount of such compensation and benefits and the manner of arriving at same, and also specifying the terms and conditions under which the same shall be paid; providing for the enforcement and administering of such compensation statute, and fixing penalties for the violation of its provisions; and repealing Chapter 8-A, Title XII, Supplement to the Code, 1913, and all acts amendatory thereof, and all other acts, or parts of acts, in conflict herewith, reported out without recommendation, was taken up and considered.

President pro tem Arney was called to the chair at 10:20 a. m.

Senator Proudfoot offered the following amendment previously filed by him and moved its adoption:

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

SECTION 1. That Chapter Eight-a (8-a) of Title Twelve (XII) of the Supplement to the Code 1913, and all acts amendatory thereof be amended by adding the following to said chapter:

"Wherever the words 'fifty per cent' appear in any part of said chapter they shall be stricken out and the words 'sixty per cent' shall be substituted therefor."

President Moore resumed the chair at 11:50 a. m.

Senator Foster moved the previous question on the pending amendment, which motion prevailed and the previous question was ordered.

Senator Hale invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

## Ayes, 27.

Anderson	Hale	Reed
Ball	Holdoegel	Schaffter
Brookhart	LeCompte	Scott
Broxam	Meredith	Shane
Buser	Mitchell	Smith
Byington	Newberry	Stephenson
Coburn	Parker	Taylor
Edwards	Proudfoot	Van Alstine
Evans	Ratcliff	

## Nays, 22.

Adams	Haskell	Rainbow
Arney	Horchem	Rule
Balkema	Kimball	Stoddard
Cessna	Kimberly	Thompson
Fellows	Nelson	White
Foskett	Pitt	Whitmore
Frailey	Price	Wilson
Greenell		

## Absent, 1.

Kingland

The amendment was adopted.

On motion of Senator Holdoegel, Senate adjourned until 1:30 p. m.

## AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

Senate resumed consideration of Senate File No. 159.

Senator Frailey moved that Senate File No. 159 be re-referred to committee on judiciary Nos. 1 and 2.

Senator Hale asked for a roll call and invoked rule 8.

On the question, "Shall the bill be re-referred?" the vote was:

## Ayes, 18.

Anderson	Haskell	Price
Balkema	Horchem	Rule
Brookhart	Kimberly	Thompson
Foster	Nelson	Van Alstine
Frailey	Parker	Whitmore
Greenell	Pitt	Wilson

## Nays, 26.

Adams	Arney	Ball
-------	-------	------



Broxam	Holdoegel	Schaffter
Buser	LeCompte	Scott
Byington	Meredith	Shane
Coburn	Mitchell	Smith
Evans	Newberry	Stephenson
Fellows	Proudfoot	Stoddard
Foskett	Ratcliff	Taylor
Hale	Reed	

Absent or not voting, 6.

Cessna	Kimball	Rainbow
Edwards	Kingland	White

The motion to re-refer was lost.

Senator Frailey offered the following amendment and moved its adoption:

Amend by adding thereto, as Section 2 thereof, the following:

That the law as it appears in Section 2477-m9 (b), Supplement to the Code, 1913, as amended by Chapter 270, Acts of the Thirty-seventh General Assembly of Iowa, be and the same is hereby repealed, and the following enacted in lieu thereof:

(b) At the time of the injury and thereafter during the disability, but not exceeding four weeks of incapacity, the employer, if so requested by the employe, or any one for him, or if so ordered by the court or Iowa industrial commissioner, shall furnish reasonable surgical, medical and hospital services, and supplies therefor, not exceeding one hundred (\$100.00) dollars. Provided, however, that in exceptional cases, an application may be made in writing to the Iowa industrial commissioner for additional surgical, medical and hospital services, and supplies therefor, in which case a copy of such application shall be mailed to the employer or his insurer. If such application is approved by the commissioner, then the employer shall furnish such additional services and supplies for such period and in such amount as the Iowa industrial commissioner shall order, but in no event to exceed one hundred (\$100.00) dollars.

The amendment was adopted.

Senator Frailey offered the following amendment and moved its adoption:

Amend by adding thereto, as Section 3 thereof, the following:

That the law as it appears in Section 2477-m9 (d), Supplement to the Code, 1913, be and the same is hereby repealed, and the following enacted in lieu thereof:

(2) 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 sixty per cent of

his average weekly wages, but not more than fifteen (\$15.00) dollars nor less than six (\$6.00) dollars per week for a period of three hundred weeks.

The amendment was adopted.

Senator Frailey offered the following amendment and moved its adoption:

Amend by adding thereto, as Section 4 thereof, the following:

That the law as it appears in Section 2477-m9 (j), (13), Supplement to the Code, 1913, be and the same is hereby repealed, and the following enacted in lieu thereof:

(13) The loss of two-thirds of that part of an arm between the shoulder joint and the elbow joint shall constitute the loss of an arm, and the compensation therefor shall be sixty (60%) per cent of the average weekly wages during two hundred twenty-five (225) weeks.

Also by adding thereto, as Section 5 thereof, the following:

That the law as it appears in Section 2477-m9 (j), (15), Supplement to the Code, 1913, be and the same is hereby repealed, and the following enacted in lieu thereof:

(15) The loss of two-thirds of that part of a leg between the hip joint and the knee joint shall constitute the loss of a leg, and the compensation therefor shall be sixty (60%) per cent of the average weekly wages during two hundred (200) weeks.

Also by adding thereto, as Section 6 thereof, the following:

That the law as it appears in Section 2477-m9 (j), Supplement to the Code, 1913, be and the same is hereby amended by adding thereto, as a new paragraph thereof, and immediately following paragraph (16) of said Section 2477-m9 (j), the following:

(17) For the loss of a second or last eye, the other eye having been lost prior to the injury resulting in the loss of the second eye, sixty (60%) per cent of the average weekly wages during two hundred (200) weeks.

The amendment was adopted.

Senator Frailey offered the following amendment and moved its adoption:

Amend by adding thereto, as Section 7 thereof, the following:

That the law as it appears in Section 2477-m15, (f), Supplement to the Code, 1913, be and the same is hereby repealed, and the following enacted in lieu thereof:

(f) As to employes employed in a business or enterprise which customarily shuts down and ceases operation during a season of each year, the number of working days which it is the custom of such business or enterprise to operate each year shall be used instead of three hundred as a basis for computing the annual earnings, provided the minimum number of days which shall be used as a basis for the year's work shall not be less than two hundred.

The amendment was adopted.

Senator Frailey offered the following amendment and moved its adoption:

Amend by adding thereto, as Section 8 thereof, the following:

That the law as it appears in Section 2477-m29, Supplement to the Code, 1913, be and the same is hereby repealed, and the following enacted in lieu thereof:

The committee of 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, if within the state. If the injury occurred outside this state the hearings of the committee shall be held in the county seat of this state which is nearest to the place where the injury occurred unless the interested parties and the Iowa industrial commissioner mutually agree by written stipulation that the same may be held at some other place. The decision of the committee, together with the statement of evidence submitted before it, its findings of facts, rulings of law and any other matters pertinent to questions arising before it shall be filed with the industrial commissioner. Unless a claim for review is filed by either party within five days from the date of filing the decision with said commissioner, such decision shall be enforceable under the provisions of this chapter.

The amendment was adopted.

Senator Frailey 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 vote was:

Ayes, 48.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Brookhart  
Broxam  
Buser

Byington  
Cessna  
Coburn  
Edwards  
Evans  
Fellows  
Foskett  
Foster

Frailey  
Greenell  
Hale  
Haskell  
Holdoegel  
Horchem  
Kimball  
Kimberly

Kingland	Price	Shane
LeCompte	Proudfoot	Stephenson
Meredith	Rainbow	Stoddard
Mitchell	Ratcliff	Taylor
Nelson	Reed	Thompson
Newberry	Rule	Van Alstine
Parker	Schaffter	Whitmore
Pitt	Scott	Wilson

Nays, none.

Absent or not voting, 2.

Smith                      White

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

#### SPECIAL ORDER.

On motion of Senator Price Senate File No. 357 was made a special order for Friday, April 4th, at 11:00 a. m.

On motion of Senator Whitmore, Senate took a recess until 2:45 p. m.

Senate reconvened at the call of the president.

Senator Frailey offered the following amendment to the title to Senate File No. 159 and moved its adoption:

Strike out all after the word "bill" in line 1 and insert in lieu thereof the following:

for an act to amend the law as it appears in Chapter 8-A Title XII, Supplement to the Code, 1913, as amended, by repealing sections 2477-m9 (b), as amended by Chapter 270 Acts of the 37th General Assembly of Iowa, section 2477-m 9 (d), section 2477-m 9 (j) (13) and (15), section 2477-m 15 (f) and section 2477-m 29, Supplement to the Code, 1913, and by enacting substitutes for each of the sections so repealed; also by so amending said Chapter 8-A as to increase the basis of compensation from 50 to 60 per cent of the average weekly wage; also by amending section 2477-m 9 (j), Supplement to the Code, 1913, by adding thereto a paragraph providing that compensation for the loss of the second eye shall be paid for a period of two hundred weeks, all relating to the law known as the Iowa Workmen's Compensation Act.

The amendment was adopted and the title as amended was agreed to.

## LEAVE OF ABSENCE.

On request of Senator Anderson leave of absence was granted Senator Proudfoot for the latter part of the afternoon.

## REPORT OF COMMITTEE ON DEPARTMENTAL AFFAIRS.

Senator Holdoegel submitted the following report of the committee on departmental affairs:

The report of the Sub-Committee of the Committee on Departmental Affairs, having in charge the inquiry into the affairs of the office of Secretary of State, is hereby adopted, with the recommendation that the report be transmitted to the Senate.

P. C. HOLDOEGEL, *Chm.*,  
A. M. FELLOWS, ,  
W. W. ANDERSON,  
A. L. RULE,  
H. C. WHITE,  
H. I. FOSKETT,  
CHESTER W. WHITMORE,  
W. T. EVANS,  
M. B. PITT,  
W. H. ARNEY.

Attested by:

C. W. BOATWRIGHT,

*Secy. Committee on Departmental Affairs.*

*To the Honorable Chairman of the Senate Committee on Departmental Affairs:*

The undersigned, constituting the subcommittee charged by your committee with the duty of inquiring into the affairs of the business administration of the office of the Secretary of State, beg leave to submit this, their first and final, report:

The subcommittee, immediately following their assignment to such duties on March 7, 1919, organized and immediately proceeded to call before it all persons whom it was suggested or the committee had reason to believe could give information on the subject. The subcommittee caused the various witnesses to be sworn and their testimony preserved in shorthand and a full, true and complete transcript thereof made, which transcript in two volumes and the exhibits identified therein are hereby made part of this report and transmitted to you herewith accompanying.

The subcommittee conducted this hearing fairly, fully and impartially to the best of their ability, and gave the Secretary of State an opportunity to appear before it and discuss the matters fully, which he did and which testimony was preserved and is part of said transcript.

Upon said evidence this subcommittee finds:

1. That there has been mismanagement and incompetency in the conduct of the department for the registration of motor vehicles, and heretofore constituting part of the duties of W. S. Allen, as Secretary of State.

This condition led to the introduction and passage of Senate File No. 407, transferring such duties from the office of Secretary of State to the office of Treasurer of State, who is now conducting same, and working improvement in the situation.

2. Upon said evidence, the subcommittee further finds that said W. S. Allen, Secretary of State, has permitted the time of the employes in his office to be devoted to the promotion of his political ambitions, to such an extent as to be detrimental to the proper discharge of the business of the state.

3. Upon such evidence, we further find that without excuse he failed to cause to be printed public notice of the "proposed amendment" to the constitution relating to the right of "suffrage" as required by Chapter 153 of the Acts of the Thirty-seventh General Assembly.

4. Upon such evidence, we further find that the want of system, and delay by him in the registration of motor vehicles has for weeks at a time deprived the state of the use of these moneys, with attendant loss of interest.

5. Upon such evidence, we further find that said W. S. Allen, as Secretary of State, has failed to give careful personal attention to the details of his office, resulting in the payment by the state of bills which should have been corrected.

6. Upon such evidence, the subcommittee further reports that we find nothing to indicate that the said W. S. Allen, as Secretary of State, has been guilty of any corruption in the management of his office, or of any intentional misappropriation of state funds.

7. Said W. S. Allen, through this subcommittee, has tendered, and there is herewith accompanying transmitted to the full committee, his resignation as Secretary of State of Iowa, effective July 1, 1919.

The subcommittee recommends to the full committee that they transmit to the Senate the transcript of evidence, the exhibits, this report and said resignation with the recommendation to the Senate that they approve of this report and transmit said resignation to the Governor of the State with the recommendation that he accept the same.

The subcommittee has received this resignation with the understanding that its acceptance shall, in the absence of other and different evidence than is shown by this record, close this matter so far as the Senate is now concerned. And in fairness to this subcommittee and to the Secretary of State if this report and recommendation are not

approved by the Senate said resignation should be returned to the Secretary of State without action.

The aforesaid transcript of evidence, exhibits, and report constitute all the information this subcommittee has on the subject involved, and all information known to the subcommittee is now before the entire committee.

8. By concurrent resolution, the committee was authorized to incur an expense not to exceed five hundred dollars (\$500) in carrying on such investigations as might be required of it, and in this connection your subcommittee reports that they have incurred the following expenses, payment of which should be made direct by the Auditor of State:

E. G. Stanley, sergeant-at-arms, taxi fare, two trips, serving subpoenas .....	\$ 6.00
Peter Sabus, Churdan, Ia., witness fees .....	5.50
Charles R. Linn, Atlantic, Ia., stenographer, reporting evidence and making transcript .....	27.50
Senator P. C. Holdoegel, telephone call .....	1.30
	<hr/>
	\$40.30

Having thus submitted their full, first and final report, the subcommittee begs that same be accepted and the subcommittee discharged, and that the full Senate Committee on Departmental Affairs and the Senate may take such action, if any, upon said report as may seem to them appropriate.

Dated, Des Moines, Iowa, April 2, 1919.

W. H. ARNEY,  
CHESTER W. WHITMORE,  
A. L. RULE.

#### Statement.

March 10, 1919.

Mr. E. G. Stanley-Sargent at Arms  
To Russell Taxi Co., Dr.

March 10, To Taxi .....

Recd payment. ....\$3.00

Russell Taxi Co.,  
J. R. S.

#### Press Taxi.

Des Moines, Iowa, March 7, 1919.

Sargent at arms, Dr.

March 7, To Service .....

Issie .....

.....\$3.00

Paid Mch 7-1919.

Press Taxi  
By H. Press.

Des Moines, Iowa, March 10, 1919.

Received from the Chairman of Committee on Departmental Affairs,  
Five Dollars & 50-100 .....\$5.50  
for expenses on the call of the committee, from Churdan, Ia., and return.

Peter Sabus.

Telephone.

Received of Senator P. C. Holdoegel \$1.30 for telephone call to State  
Game Warden at Spirit Lake, Iowa.

Ollie Retherford,  
Clerk Iowa Telephone Co.

Des Moines, March 28, 1919.

Dear Senator: I am enclosing herewith bill covering the work I did  
for the "Allen Committee" this week, which kindly approve and put in  
the proper channells for payment. I have made this bill in accordance  
with yourself and Senator Whitmore in reference to the matter.

Would have handed you this personally, except that I am leaving this  
morning sooner than I had expected.

With thanks, I am,

Yours very truly,

Charles R. Linn.

Atlantic, Iowa, March 26, 1919.

The Auditor, State of Iowa, State House, Des Moines, Iowa.

To: Charles R. Linn, Shorthand Reporter, Atlantic, Iowa.

March 24th, To taking notes in shorthand of witnesses called before  
the W. S. Allen Investigating Committee ..... 00.00

To transcript of the testimony of certain witnesses called in said  
matter, 55 pp., original 40c and one carbon copy at 10c .....\$27.50

            
\$27.50

Des Moines, Iowa, April 2, 1919.

To Honorable W. L. Harding, Governor.

Dear Sir: I hereby tender my resignation as Secretary of State, to  
take effect July 1, 1919.

Sincerely yours,

WSA.REM.

W. S. Allen.

DOCUMENTARY EVIDENCE FILED.

There was also filed with the secretary of the senate by Senator  
Holdoegel, chairman of the committee on departmental affairs, in



connection with the foregoing report of the committee on departmental affairs and the subcommittee thereof, the original transcript of evidence in the above mentioned case in two volumes, the original of the exhibits therein referred to and the original signed resignation of W. S. Allen as Secretary of State of the state of Iowa.

Senator Wilson moved that action be taken on the report at this time.

The motion prevailed.

Senator Holdoegel moved the adoption of the report.

The motion prevailed and the report was adopted; and the resignation of W. S. Allen as Secretary of State was ordered to be immediately transmitted by the hands of the Secretary of the Senate to W. L. Harding, Governor of the State, for immediate acceptance, effective July 1, 1919.

#### HOUSE AMENDMENT CONCURRED IN.

Senator Byington called up Senate File No. 161, amended by the House, and moved that the Senate concur in the following House amendment:

Amend by inserting after the semi-colon (;) in line seventeen thereof, the following: "in townships having a population of 40,000 or more, justices \$1800. and constables \$1500."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 41.

Adams	Greenell	Price
Anderson	Hale	Rainbow
Arney	Haskell	Ratcliff
Balkema	Holdoegel	Reed
Ball	Horchem	Rule
Broxam	Kimball	Scott
Byington	Kimberly	Shane
Coburn	Kingland	Stephenson
Edwards	LeCompte	Stoddard
Evans	Meredith	Taylor
Fellows	Mitchell	Van Alstine
Foskett	Newberry	Whitmore
Foster	Parker	Wilson
Fralley	Pitt	

Nays, 1.

Buser

Absent or not voting, 8.

Brookhart	Proudfoot	Thompson
Cessna	Schaffter	White
Nelson	Smith	

The House amendment, having received a constitutional majority, was declared to have been concurred in by the Senate.

### THIRD READING OF BILLS.

On motion of Senator Price, Senate File No. 441, a bill for an act to repeal chapter one hundred eighty-six (186) of the acts of the 37th General Assembly and to amend section two hundred seventy-five (275) of the code, section two hundred eighty-d (280-d), supplement to the code, 1913, and section six hundred ninety-four-c-forty-nine (694-c-49), supplemental supplement to the code, 1915, relating to compensation of reporters in superior and municipal courts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Price 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 vote was:

Ayes, 36.

Adams	Fralley	Price
Anderson	Greenell	Rainbow
Arney	Hale	Ratcliff
Ball	Haskell	Reed
Brookhart	Holdoegel	Rule
Byington	Horchem	Scott
Coburn	Kimball	Shane
Edwards	Kimberly	Stephenson
Evans	LeCompte	Taylor
Fellows	Mitchell	Van Alstine
Foskett	Parker	Whitmore
Foster	Pitt	Wilson

Nays, 4.

Buser	Kingland	Thompson
Cessna		

Absent or not voting, 10.

Balkema	Newberry	Smith
Broxam	Proudfoot	Stoddard
Meredith	Schaffter	White
Nelson		

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

#### EXPLANATION OF VOTE.

Desiring to explain why I failed to vote upon the question, "Shall the bill pass?" upon Senate File No. 159, state that I was absent from the Senate chamber and unavoidably detained when the vote was taken and that if I had been present, I would have voted "aye".

J. D. BUSER.

#### THIRD READING OF BILLS.

On motion of Senator Kimball, Senate File No. 499, a bill for an act to encourage horticulture and allied industries of the State of Iowa through an annual exposition and to make an appropriation therefor, a committee bill, was taken up and considered.

Senator Kimball offered the following amendment and moved its adoption:

Amend line 1 of section 3 by striking out the words and figures "five thousand dollars (\$5,000)" and substituting therefor the words and figures "eight thousand dollars (\$8,000)".

The amendment was 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 vote was:

Ayes, 40.

Anderson	Greenell	Pitt
Arney	Hale	Price
Balkema	Haskell	Rainbow
Ball	Holdoegel	Ratcliff
Brookhart	Horchem	Reed
Broxam	Kimball	Scott
Byington	Kimberly	Shane
Coburn	Kingland	Smith
Edwards	LeCompte	Stephenson
Evans	Meredith	Stoddard
Fellows	Mitchell	Van Alstine
Foskett	Nelson	Whitmore
Foster	Parker	Wilson
Frailey		

Nays, 4.

Buser	Thompson	White
Rule		

Absent or not voting, 6.

Adams	Newberry	Schaffter
Cessna	Proudfoot	Taylor

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 Anderson, House File No. 249, a bill for an act to amend section fifty-six hundred twenty-six (5626), supplement to the code, 1913, relating to the pardons and remission of fines and forfeitures by the governor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Anderson 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 vote was:

Ayes, 41.

Anderson	Greenell	Ratcliff
Arney	Hale	Reed
Balkema	Holdoegel	Rule
Brookhart	Horchem	Scott
Broxam	Kimball	Shane
Buser	Kimberly	Smith
Byington	Kingland	Stephenson
Cessna	LeCompte	Stoddard
Edwards	Meredith	Taylor
Evans	Newberry	Van Alstine
Fellows	Parker	White
Foskett	Pitt	Whitmore
Foster	Price	Wilson
Frailey,	Rainbow	

Nays, 1.

Thompson

Absent or not voting, 8.

Adams	Haskell	Proudfoot
Ball	Mitchell	Schaffter
Coburn	Nelson	

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 Stoddard, House File No. 63, a bill for an act giving cities power to assess abutting and adjacent property for the cost of acquiring land by condemnation or purchase, and improving the same for streets, avenues, alleys, boulevards, parkways and highways, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Strike out the title and substitute therefor: "A bill for an act amending Section seven hundred fifty-one (751), Supplement to the Code, 1913, relating to the establishment, improvement and assessments on abutting property in cities and towns", and strike out all after the enacting clause and substitute therefor, the following: Section 1. That the law as it appears in Section seven hundred fifty-one (751), Supplement to the Code, 1913, be and the same is hereby amended by inserting in line fourteen (14), between the words "avenues" and the word "alleys" the following: "boulevards, parkways,".

Senator Stoddard offered the following amendment and moved its adoption:

Amend by striking out the period at the end of same and adding thereto the following: "and by inserting between the words "abutting" and "property" in line 18 the words "and adjacent" and by inserting between the words "derived" and "from" in line 19 of said section the words "in the judgment of the city council".

The amendment was adopted.

Senator Wilson moved that the vote by which the amendment was adopted be reconsidered.

The motion prevailed.

#### HOUSE FILE 63 AND SENATE FILE 286 RE-REFERRED.

Senator Kimball moved that House File No. 63 and pending amendments and Senate File No. 286 be re-referred to the committee on cities and towns with the request that they be reported back by Saturday, April 5th.

The motion prevailed.

#### MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the

House has passed the following bill in which the concurrence of the Senate is asked.

House File No. 317, a bill for an act to amend Chapter four (4) title ten (X) of the Code relating to taking private property for works of internal improvement and providing that incorporated county fair societies or county agricultural associations or district agricultural associations shall have the power of eminent domain.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 section one thousand three hundred seventy (1370), supplement to the code, 1913, relating to equalization of taxes by township trustees.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 420, a bill for an act to amend Section Fifteen Hundred twenty-seven-d (1527-d), Supplement to the Code, 1913, relating to electric light and power transmission lines.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 127, a bill for an act providing for a transcript of any conveyance executed by any executor, administrator, guardian or trustee, which has been recorded in the office of the clerk of the District or Circuit Courts of the State of Iowa, and for filing and recording same in the office of the county recorder.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 442, a bill for an act to legalize the plat and dedication of the incorporated town of Long Grove, Scott County, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 440, a bill for an act to convey to James M. Peden the title of the State of Iowa to the Northeast quarter (NE $\frac{1}{4}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ) of Section Eleven (11), Township Seventy (70) North, Range Thirteen (13), West of the 5th P. M.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 160, a bill for an act to amend section two thousand six hundred six (2606) Supplemental Supplement to the Code, 1915, relating to rules of admission to the Iowa Soldiers' Home.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House refuses to concur in the Senate amendments to House File No. 85, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in the Senate amendments to House File No. 190, in which the concurrence of the House was asked:

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 471, in which the concurrence of the House was asked:

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 318, in which the concurrence of the House was asked:

W. C. RAMSAY, *Chief Clerk.*

**Also:**

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 319, in which the concurrence of the House was asked:

W. C. RAMSAY, *Chief Clerk.*

**HOUSE MESSAGES CONSIDERED.**

House File No. 317, a bill for an act to amend chapter four (4) title ten (X) of the code relating to taking private property for works of internal improvement and providing that incorporated county fair societies or county agricultural associations or district agricultural associations shall have the power of eminent domain.

Read first and second time and referred to committee on judiciary No. 1.

House File No. 420, a bill for an act to amend section Fifteen Hundred twenty-seven-d (1527-d), Supplement to the Code, 1913, relating to electric light and power transmission lines.

Read first and second time and referred to committee on public utilities.

House File No. 384, a bill for an act to amend section one thousand three hundred seventy (1370), supplement to the code, 1913, relating to equalization of taxes by township trustees.

Read first and second time and referred to committee on ways and means.

**AMENDMENTS FILED.**

Senator Stoddard filed the following amendments and asked that they be printed in the journal:

Amend House File No. 228 as follows:

1. By inserting after the comma the following word "city" where it appears first in line three of Section 2, the following "or on its own motion,".
2. By striking out the word "benefitted" in the fifteenth line of Section 3 and inserting in lieu thereof the word "affected".
3. By inserting after the word "and" in line two of Section 4 the word "may".



4. By inserting after the comma following the word "payment" in line seven of Section 5 the following: "and whether a maintenance bond shall be required,".

5. By inserting after the word "and" in line four of Section 12 the following: "the cost of such property shall be included in".

6. By striking out of Section 13, beginning with the word "and" in line three and ending with the word "alley" in line six, the following: "and if such street or alley is shown upon the recorded plat as terminating on one side of such stream or old channel, the plat may be corrected so as to show a continuous street or alley,".

7. By striking out the period at the end of Section 18 and inserting in lieu thereof a comma and the following: "and without affecting the validity of preliminary steps already taken under the existing law, so far as applicable, for the purpose of making improvements contemplated by this act, all of which steps shall have the same effect as if taken under the provisions hereof."

8. By inserting at the end of line three of Section 11 following the word "in" the word "the".

#### CORRECTION OF JOURNAL

The journal of April 1st was corrected and approved.

#### MOTION TO RECONSIDER CALLED UP.

Senator Kimball called up the motion to reconsider the vote by which Senate File No. 155 failed to pass the Senate and also the vote by which the bill passed to its third reading.

The motion to reconsider prevailed.

On motion of Senator Kingland, Senate adjourned until 9:00 a. m. Thursday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 3, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. William G. Crowder, pastor of the Methodist church of Marshalltown.

## PETITIONS AND MEMORIALS.

Senator Anderson presented a petition of citizens of Carroll county favoring the protection of quail and prairie chicken.

Referred to committee on fish and game.

Senator Parker presented a petition of members of Catholic Woman's League favoring nine hours as the maximum for working day for women.

Referred to committee on labor.

Senator Schaffter presented a petition of citizens of Alden favoring House File No. 473.

Referred to committee on highways.

Senator Edwards presented a remonstrance of citizens of Story county against bond issue for hard roads.

Referred to committee on highways.

Senator Nelson presented a remonstrance of citizens of Cass county against hard surfaced roads.

Referred to committee on highways.

Senator Byington presented a petition of citizens of Marengo Community Club favoring the House bill on road legislation.

Referred to committee on highways.

Lieutenant Governor Moore presented a petition of Members of Catholic Woman's League of Des Moines favoring the bill fixing nine hours as the maximum working day for women.

Referred to committee on labor.

#### LEAVE OF ABSENCE.

On request of Senator Pitt, leave of absence was granted Senator White for the day.

#### INTRODUCTION OF BILLS.

By committee on schools, Senate File No. 517, a bill for an act to amend Section two thousand six hundred thirty-four-b6 (2634-b6) Supplemental supplement to the Code, 1915; Also to amend section one (1) Chapter One hundred Fifty-six (156), Acts of the Thirty-seventh General Assembly: Also to amend Section one (1) Chapter Two hundred twenty-five (225), Acts of the Thirty-seventh General Assembly; Also to repeal Chapter three hundred forty-six (346), Acts of the Thirty-seventh General Assembly; Also to repeal section one (1), Chapter three hundred eighty-six (386), also Chapter three hundred thirty-four (334), Acts of the Thirty-seventh General Assembly.

Read first and second time and passed on file.

#### REPORTS OF COMMITTEES.

Senator Whitmore, from the committee on elections, submitted the following report:

MR. PRESIDENT—Your committee on elections, to whom was referred Senate File No. 431, a bill for an act to amend the law as it appears in chapter five (5), title six (VI) of the code, relating to the election of presidential electors and to amend section eleven hundred and seventy-three (1173) of the supplement to the code, 1913, and to provide that the right to vote for presidential electors shall not be abridged on account of sex, 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:

Amend by striking out all after the enacting clause and substituting therefor the following:

"SECTION 1. That section eleven hundred seventy-three (1173), supplement to the code, 1913, as amended by the Thirty-eighth General Assembly be and the same is hereby amended by adding thereto the following:

'Provided, however, that the right to vote for presidential electors shall not be denied or abridged on account of sex, and that every woman who has attained the age of twenty-one (21) years and who possesses all other qualifications requisite to a male voter, shall be entitled to vote, the same as men, at any election held for the purpose of electing presidential electors.'

"SEC. 2. That section eleven hundred six (1106) of the code as amended by the Acts of the Thirty-eighth General Assembly be and is hereby amended by adding thereto the following:

'At any general election hereafter held for the election of presidential electors a separate ballot shall be provided for women, substantially in the following form:

<input type="checkbox"/> O REPUBLICAN { For President A — B — * of Ohio For Vice President C — D — of New York	<input type="checkbox"/> O DEMOCRATIC { For President N — O — of Virginia For Vice President P — Q — of Indiana	<input type="checkbox"/> O PROHIBITION { For President A — B — of Maine For Vice President C — D — of Illinois	<input type="checkbox"/> O UNION LABOR { For President N — O — of Idaho For Vice President P — Q — of Ohio
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"And said ballot may be voted by them in the manner provided for the government of elections of said officers and shall be counted the same as other ballots cast at such elections.'

"Sec. 3. That section eleven hundred thirty-one (1131) of the code be and the same is hereby amended by substituting a comma (,) for the period (.) at the end thereof, and adding the following: 'except that in elections for president, vice-president and presidential electors, women shall be required to register as provided in Chapter Two (2) of this title and acts amendatory thereto.'

"Sec. 4. That Section ten hundred seventy-seven (1077), supplement to the code, 1913, be and the same is hereby amended by inserting in the seventh line, after the word 'day,' the following: 'including women entitled to vote for president, vice president and presidential electors.'"

Also amend Senate File No. 431 by striking out the title thereto and substituting therefor the following:

#### "A BILL FOR AN ACT

To amend the law as it appears in section eleven hundred six (1106) of the code as amended by Senate File No. 21 of the Acts of the Thirty-eighth General Assembly, section eleven thirty-one (1131) of the code, section ten hundred seventy-seven (1077), supplement to the code, 1913, and section eleven hundred seventy-three (1173) supplement to the code, 1913, relating to the election of presidential electors, registration of

voters, and to provide that the right to vote for presidential electors shall not be abridged on account of sex."

CHESTER W. WHITMORE, *Chairman*.

Ordered passed on file.

Also:

Your committee on elections, to whom was referred House File No. 123, a bill for an act to amend the law as it appears in section one thousand and eighty-seven-a twenty-two (1087-a22), supplement to the code, 1913, relating to canvas by the State Board in Primary elections, beg leave to report they have had the same under consideration and recommend the same do pass.

CHESTER W. WHITMORE, *Chairman*.

Ordered passed on file.

Senator Holdoegel, from the committee on departmental affairs, submitted the following report:

MR. PRESIDENT—Your committee on departmental affairs, to whom was referred Senate File No. 439, a bill for an act repealing Section seventy (70) and Section seventy-one (71) of the Supplement to the Code 1913, changing the compilation, publication and distribution of the Iowa Official Register from the office of the Secretary of State, etc., beg leave to report they have had the same under consideration and recommend the same do pass.

P. C. HOLDOEGEL, *Chairman*.

Ordered passed on file.

Senator Coburn, from the committee on agriculture, submitted the following report:

MR. PRESIDENT—Your committee on agriculture, to whom was referred House File No. 534, a bill for an act to amend Section Twenty-three hundred forty-one-q (2341-q), Supplemental Supplement to the Code, 1915, referring to false pedigrees of stock, beg leave to report they have had the same under consideration and recommend the same do pass.

GEO. F. COBURN, *Chairman*.

Ordered passed on file.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred Senate File No. 282, a bill for an act providing for the standardization of rural schools and granting state aid and providing for an appropriation therefor, beg leave to report they have had the same under consid-

eration and recommend the same be amended as follows, and that the bill and proposed amendments be referred to the committee on appropriations.

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

SECTION 1. Any school maintained by a district wholly outside a city, town or village corporation or consolidated independent district which has complied with the provisions of this act shall be known as a standard school. Every standard school before it may be designated as such shall have been maintained for nine school months during the previous year and shall conduct school for nine months of each succeeding year. It shall have a suitable school house, grounds, and outbuildings in proper condition and repair; be equipped with needful apparatus, textbooks, supplies; an adequate system of heating and ventilation; have done efficient work and have complied with such requirements as shall be specified by the superintendent of public instruction.

SEC. 2. It shall be the duty of the superintendent of public instruction to prescribe and promulgate the requirements he shall deem necessary for standard schools as to minimum requirements for standards of teaching, general equipment, heating and ventilation, lighting, seating, water supply, library, care of grounds, safety against fire, and such other requirements as will conserve the health, safety and welfare of the children attending school; and prescribe such other requirements as he shall deem necessary for the upbuilding and improvement of such schools.

SEC. 3. On or before June 30th of each year and at such other times as the superintendent of public instruction may direct the county superintendent of schools shall make reports and furnish such other data in regard to said schools as the department of public instruction may desire on blanks to be furnished by the superintendent of public instruction.

SEC. 4. State aid shall be given to rural districts maintaining one or more standard schools to the amount of six dollars (\$6.00), for each pupil who has attended said schools in said district at least six months of the previous year.

SEC. 5. No school shall be deemed a standard school unless the teacher is the holder of a first grade uniform county certificate or its equivalent, has contracted for the entire school year, and unless such school shall have maintained an average daily attendance of at least ten pupils.

SEC. 6. Each standard school shall be furnished by the superintendent of public instruction with a suitable door plate or mark of identification and the expense of the same shall be paid from the fund created by this act for the promotion of standard schools.

SEC. 7. Upon receiving from the county superintendent a satisfactory report showing that any rural school has fulfilled the requirements of a standard school, the superintendent of public instruction shall issue a requisition upon the auditor of state for the amount due any rural school

district entitled to state aid for the school year just past; whereupon the auditor of state shall draw a warrant on the treasurer of state payable to the secretary of the school corporation entitled thereto and forwarded to the secretary of said school corporation who shall cause the same to be deposited with the other funds of the district. The money shall be expended in the district or districts maintaining standard schools in amounts proportionate to the number of pupils upon which state aid was granted. The secretary shall issue a warrant in favor of the teacher to the amount of one-half the subsidy due each such school and the school board shall, with the assistance of the county superintendent, expend the remainder in improvements and necessary apparatus. If more than one teacher is employed in a school the amount shall be apportioned between them according to the time of their employment.

SEC. 8. For the purpose of carrying out the provisions of this act there is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of one hundred thousand dollars (\$100,000.00) annually, which fund if not all used shall be allowed to accumulate, and shall not be turned back into the state treasury nor used for any purpose other than herein provided.

BYRON W. NEWBERRY, *Chairman*.

The bill was referred to the committee on appropriations.

#### SENATE FILES WITHDRAWN.

By unanimous consent, Senator Horchem withdrew Senate File No. 314 from further consideration.

By unanimous consent, Senator Whitmore withdrew Senate File No. 200 from further consideration.

#### CONFERENCE COMMITTEE ON HOUSE FILE NO. 85.

Senator Newberry called up House File No. 85, amended by the Senate, the House having refused to concur in Senate amendments, and moved that the Senate insist on its amendments.

The motion prevailed.

Senator Newberry moved that a conference committee be appointed.

The motion prevailed.

The president appointed as such committee on the part of the Senate, Senators Newberry, Balkema, Byington and Evans.

#### MOTION TO RECONSIDER CALLED UP.

Senator Parker called up the motion filed to reconsider the vote

by which Senate File No. 271 failed to pass the Senate and the vote by which it passed to its third reading.

The motion to reconsider prevailed.

Senator Parker offered the following amendment and moved its adoption:

Amend Senate File No. 271 by adding thereto the following:

"Sec. 2. That section ten hundred fifty-six-a twelve (1056-a12) Supplement to the Code, 1913, be and the same is hereby amended by striking from line two (2) of said Section the word "five" and inserting in lieu thereof the word "three".

"Sec. 3. This act being deemed of immediate importance shall be in full force and effect from and after its publication in the Des Moines Daily News and Des Moines Capital, newspapers published in the city of Des Moines, Iowa.

The amendment was adopted.

Senator Parker 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 vote was:

Ayes, 34.

Anderson	Haskell	Proudfoot
Arney	Holdoegel	Rainbow
Ball	Horchem	Ratcliff
Broxam	Kimball	Schaffter
Buser	Kimberly	Scott
Byington	Kingland	Shane
Coburn	Meredith	Stephenson
Edwards	Nelson	Stoddard
Evans	Newberry	Thompson
Fellows	Parker	Van Alstine
Foskett	Pitt	Whitmore
Hale		

Nays, 1.

Rule

Absent or not voting, 15.

Adams	Fralley	Reed
Balkema	Greenell	Smith
Brookhart	LeCompte	Taylor
Cessna	Mitchell	White
Foster	Price	Wilson



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

Senator Parker offered the following amendment to the title and moved its adoption:

Amend the title to Senate File No. 271 by inserting before the word "supplement" in the second line thereof the following words and figures: "and Section Ten Hundred fifty-six-a twelve (1056-a12)".

The amendment was adopted and the title as amended was agreed to.

#### AMENDMENTS WITHDRAWN.

By unanimous consent, Senator Stoddard withdrew from further consideration amendments four, five, six and eight (4, 5, 6, 8) to House File No. 228, filed April 2nd:

4. By inserting after the comma following the word "payment" in line seven of Section 5 the following: "and whether a maintenance bond shall be required."

5. By inserting after the word "and" in line four of Section 12 the following: "the cost of such property shall be included in".

6. By striking out of Section 13, beginning with the word "and" in line three and ending with the word "alley" in line six, the following: "and if such street or alley is shown upon the recorded plat as terminating on one side of such stream or old channel, the plat may be corrected so as to show a continuous street or alley."

8. By inserting at the end of line three, section 11 following the word "in" the word "the".

#### THIRD READING OF BILLS.

On motion of Senator Schaffter, House File No. 227, a bill for an act to amend the law as it appears in section twenty-nine hundred-b (2900-b), supplemental supplement to the code, 1915, relating to the sale of lake beds, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

## Ayes, 34.

Adams	Haskell	Proudfoot
Anderson	Horchem	Rainbow
Arney	Kimball	Schaffter
Balkema	Kimberly	Scott
Broxam	Kingland	Shane
Buser	Meredith	Smith
Byington	Mitchell	Stephenson
Cessna	Nelson	Stoddard
Evans	Newberry	Van Alstine
Fralley	Parker	Whitmore
Greenell	Pitt	Wilson
Hale		

## Nays, 3.

Ball	Rüle	Taylor
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## Absent or not voting, 13.

Brookhart	Foster	Ratchiff
Coburn	Holdoegel	Reed
Edwards	LeCompte	Thompson
Fellows	Price	White
Foskett		

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 Frailey, Senate File No. 489, a bill for an act to amend the law as it appears in Section 4, Chapter 428, Acts of the 37th General Assembly of Iowa, and Section 5, Chapter 428, Acts of the 37th General Assembly of Iowa, and Section 2, Chapter 412, Acts of the 37th General Assembly of Iowa, and Section 1744, Supplement to the Code, 1913, and Section 1745, Supplement to the Code, 1913, and Section 1783-a, Supplement to the Code, 1913, and Section 1783-d, Supplement to the Code, 1913, and Section 1783-e, Supplement to the Code, 1913, and Section 1790 of the Code and Section 1813 of the Code, also to repeal the law as it appears in sub-division 1, Section 1709, Supplement to the Code, 1913, as amended by Section 1, Chapter 428, acts of the 37th General Assembly of Iowa, and to enact a substitute therefor; also to enact a law regulating the investment of the assets of insurance companies and associations, and to provide for the compensation of special insurance examiners; all relating to and providing for certain regulations of all kinds of insurance companies authorized to transact business in the state of Iowa, a committee bill, was taken up and considered.

Senator Frailey offered the following amendment and moved its adoption:

Amend Section 7 by inserting the word "been" after the word "has" in line 5 of said section.

The amendment was adopted.

Senator Rule was called to the chair at 10:05 a. m.

Senator Newberry offered the following amendment and moved its adoption:

Amend by striking out section seven (7) of the bill.

The amendment was lost.

Senator Frailey 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 vote was:

Ayes, 38.

Adams	Hale	Rainbow
Anderson	Haskell	Reed
Arney	Holdoegel	Rule
Ball	Horchem	Schaffter
Broxam	Kimberly	Scott
Buser	LeCompte	Shane
Byington	Meredith	Smith
Cessna	Mitchell	Stephenson
Evans	Newberry	Stoddard
Fellows	Parker	Taylor
Foskett	Pitt	Whitmore
Frailey	Price	Wilson
Greenell	Proudfoot	

Nays, 4.

Coburn	Kingland	Nelson
Edward		

Absent or not voting, 8.

Balkema	Kimball	Van Alstine
Brookhart	Ratcliff	White
Foster	Thompson	

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. 6, a bill for an act requiring the use of the English language as the medium of instruction in all secular subjects in all schools within the state of Iowa, with report of committee recommending that all Senate amendments be stricken out and that the bill be passed as passed in the House, was taken up, considered, and the report of the committee adopted.

Senator Evans offered the following amendment and moved its adoption:

Amend by adding to section one the following: "However, nothing herein shall prohibit the teaching of a foreign language in a private or parochial school for religious purposes only."

Senator Schaffter offered the following as a substitute for the pending amendment and moved its adoption:

Amend by inserting the word "parochial" in line 2 of section 1 after the word "public".

President Moore resumed the chair at 10:55.

Senator Smith moved the previous question on all pending amendments, which motion prevailed, and the previous question was ordered.

The substitute amendment was lost.

On the question, "Shall the amendment offered by Senator Evans be adopted?" the vote was:

Ayes, 22.

Broxam	Haskell	Nelson
Cessna	Horchem	Pitt
Coburn	Kimball	Proudfoot
Evans	Kimberly	Rainbow
Fellows	Kingland	Scott
Foster	LeCompte	Thompson
Fralley	Mitchell	Wilson
Greenell		

Nays, 25.

Adams	Foskett	Rule
Anderson	Hale	Schaffter
Arney	Holdoegel	Shane
Balkema	Meredith	Smith
Ball	Newberry	Stephenson
Brookhart	Parker	Stoddard
Buser	Price	Taylor
Byington	Reed	Whitmore
Edwards		

Absent or not voting, 3.

Ratliff	Van Alstine	White
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The amendment was lost.

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

Senator Evans invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Adams	Greenell	Ratliff
Anderson	Hale	Reed
Arney	Haskell	Rule
Balkema	Holdoegel	Schaffter
Ball	Kimball	Scott
Brookhart	LeCompte	Shane
Buser	Meredith	Smith
Byington	Newberry	Stephenson
Cessna	Parker	Stoddard
Coburn	Price	Taylor
Edwards	Proudfoot	Whitmore
Foskett	Rainbow	Wilson

Nays, 12.

Broxam	Frailey	Mitchell
Evans	Horchem	Nelson
Fellows	Kimberly	Pitt
Foster	Kingland	Thompson

Absent or not voting, 2.

Van Alstine	White
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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. 478, a bill for an act amending chapter 2 B, Title VIII of the Supplement to the Code, 1913, and of the Supplemental Supplement, 1915, and relating to the licensing, numbering, taxing and registering of motor vehicles; defining terms concerning motor vehicles; providing penalties for violation of regulations relating thereto; the apportionment and distribution of motor vehicle taxes and regis-

tration fees, and fixing the duties of various officers relative thereto, returned to the Senate by committee on motor vehicles without report, was taken up and considered.

Senator Kimball offered the following amendments and moved their adoption:

Amend the bill, Senate File No. 478, as follows:

In Section 3, line 26, by inserting after the word "owner" the following: "Each license card after the first shall be dated on the anniversary of the first payment and when the tax is due."

In Section 10, line 9, by inserting after the word "tax" the words "based on valuation."

In Section 10, line 11, by striking out the word "the" before the word "tax" and substituting therefor "such".

In Section 20, line 5, by inserting at the end thereof "known as the county motor vehicle road fund and shall".

In Section 20, line 4, by inserting the word "five" after the word "ninety".

In Section 20, lines 21 and 23, by substituting for the word "ten" before "per cent" the word "five", and in lines 25, 33 and 37, by substituting for the word "five" the words "two and one half", and in line 41 by substituting for the figures (90) the word and figures "five (95)".

In Section 12, line 8, by inserting after the word "cases" and before the word "and" the words "but shall be paid and become due on the first day of January in each year."

In Section 12, line 9, the word "until" shall be substituted for the word "with", and at the end thereof by adding the following: "The number plates for this class of vehicles shall have the last figure of the year for which they are issued, underneath the letters "IA" and may be in different colors for different years. Renewal plates shall be issued each year for the same vehicle until registration shall finally expire when old numbers may be assigned to other similar vehicles."

In Section 11, line 19, by substituting for the word "five" the words "twenty-five", and in line 25, by inserting after the word "series" the words "giving to existing dealers their present numbers when all license fees have been paid", and in line 57, by adding thereto the following: "additional sets of number plates shall be furnished with each license to any dealer and bearing the same numbers upon payment of an additional fee of \$3.00 and the number of such additional sets of plates shall be noted on the record."

In Section 22 at the end of line 19 by adding the following: "The Secretary of State may issue call for the various outstanding numbers to take out new license in such order and numbers as he may elect."

The amendments were adopted.

Senator Cessna offered the following amendment and moved its adoption:

Amend Section twenty (20) as amended, by striking out all after the words "road fund" just preceding line six (6), down to and including line twenty (20).

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 12.

Buser	Kimbell	Nelson
Byington	Kimberly	Rainbow
Cessna	LeCompte	Ratcliff
Frailey	Meredith	Smith

Nays, 33.

Adams	Foskett	Reed
Anderson	Foster	Rule
Arney	Hale	Schaffter
Balkema	Haskell	Scott
Ball	Holdoegel	Shane
Brookhart	Kingland	Stephenson
Broxam	Newberry	Stoddard
Coburn	Parker	Taylor
Edwards	Pitt	Van Alstine
Evans	Price	Whitmore
Fellows	Proudfoot	Wilson

Absent or not voting, 5.

Greenell	Mitchell	White
Horchem	Thompson	

The amendment was lost.

Further consideration was deferred.

#### RULING ON POINT OF ORDER.

Senator Parker raised the point of order that Senate File No. 460 could not be considered by the Senate, inasmuch as Senate File No. 155, containing the same subject matter, had previously failed of passage in the Senate.

The president ruled that as a motion to reconsider had been filed and passed relative to Senate File No. 155, thereby placing it again on the calendar, there was nothing to prevent the consideration at this time of Senate File No. 460 although the subject matter was similar.

## BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate in the presence of the Senate he had signed House Files Nos. 199, 205, 266, 290, 398, 303, 332, 389, 414, 439, 456, 466, 479 and 535.

## RESIGNATION OF COMMITTEE CLERKS.

ERNEST R. MOORE, *President of the Senate.*

SIR—I hereby resign my position as committee clerk in the Senate.

Respectfully,

HAZEL R. COUTTS.

The resignation was accepted.

March 31, 1919.

TO LIEUTENANT GOVERNOR E. R. MOORE, *President Iowa State Senate.*

DEAR SIR—I hereby tender my resignation as clerk of the appropriations committee of the Senate.

Yours very respectfully,

LOIS GARRETT.

The resignation was accepted.

On motion of Senator Arney, Senate adjourned until 1:30 p. m. today.

## AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

Senate resumed consideration of Senate File No. 478.

Senator Arney moved that Senate File No. 508 be substituted for Senate File No. 478.

Senator Foskett moved as a substitute that Senate File No. 478 and Senate File No. 508 be referred to the joint judiciary committees with instructions to report a bill to the Senate by Tuesday, April 8th.

Senator Whitmore moved to amend the motion by substituting "joint committees on ways and means and motor vehicles" for "joint judiciary".

The amendment was lost.

On the question, "Shall the motion by Senator Foskett prevail?" the vote was:



## Ayes, 27.

Adams	Frailey	Nelson
Anderson	Greenell	Pitt
Brookhart	Hale	Rainbow
Buser	Horchem	Ratcliff
Cessna	Kimball	Rule
Edwards	Kimberly	Smith
Evans	Kingland	Stephenson
Fellows	LeCompte	Taylor
Foskett	Mitchell	Thompson

## Nays, 20.

Arney	Meredith	Scott
Ball	Newberry	Shane
Broxam	Parker	Stoddard
Coburn	Price	Van Alstine
Foster	Proudfoot	Whitmore
Haskell	Reed	Wilson
Holdoegel	Schaffter	

## Absent or not voting, 3.

Balkema	Byington	White
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The motion prevailed and the bill was referred to joint judiciary committee.

## AMENDMENTS FILED.

Amend Senate File No. 508 in the following respects:

1. Strike out the words "five hundred" in lines 10 and 11 of section 2 of said bill and substitute therefor the words "seven hundred fifty."
2. Strike out the words "no greater weight or load shall be allowed than specified on the load capacity plate" where the same appears in lines 85 and 86 of section 9.
3. Strike out the semi-colon and the words "provided that it" from line 45 of section 10, and insert in lieu thereof a period following the word "years", and insert the word "It" before the word "shall" in said line 45 of section 10.
4. Insert following the word "guardian" in line 52 of section 10 the words "or the employer".
5. Strike out the words "and" and "further" where they appear in line 54 of said section 10.
6. Strike from line 17 of section 19 the words "change or transfer" and insert in lieu thereof the words "or alter."
7. Strike from line 21 of section 19 the word "changed" and insert in lieu thereof the word "altered."

8. Strike from line 17 of section 22 the words and figures "twenty-five dollars (\$25.00)" and insert in lieu thereof the words and figures "fifteen dollars (\$15.00)".

9. Strike from line 19, section 25 the words and figures "ten dollars (\$10.00)" and insert in lieu thereof the words and figures "five dollars (\$5.00)".

10. Insert in line 52 of section 26, following the word "motor" the word "vehicle".

11. Insert in line 3, section 33, between the words "nearest" and "magistrate" the word "available."

12. Insert in line 4, section 36, between the words "engine" and "number" the words "or factory serial."

Amend paragraph "f" of section 25, Senate File No. 508, by inserting in said section between the words "permit" and "provided" in line 48, the following:

"provided, however, that cities and towns shall have the power to designate by ordinance suitable areas within which automobiles may be parked or left standing (without being parallel to the curb), and to prescribe rules governing the use of such areas for such purposes."

Amend Section 9 of Senate File No. 508 by adding thereto following the colon at the end of line 21 in said section the following:

"Provided, however, that the annual license fee of motor trucks having a manufacturer's rating of load capacity over two tons and which are being operated exclusively within the limits of any city or town shall be at the rate of two-thirds the registration fee herein provided, except that the registration fee of a motor truck shall at no time be less than fifteen dollars (\$15.00) annually."

C. W. REED.

Amend Senate File Number five hundred eight by striking out "an" in section two, page five, line four, and substituting "a verified".

Amend Senate File five hundred eight, section three, paragraph (a), line eight, by inserting before "owner" the following "residence, and business address of the".

Amend Senate File five hundred eight, section twenty-two, page twenty-nine, by adding thereto the following: "any person using, or consenting to the use of, the plates provided for in this section upon a motor vehicle not in fact owned by such manufacturer or dealer, shall be guilty of a misdemeanor, and, upon conviction be punished by a fine of not less than fifty dollars (\$50.00) or more than two hundred dollars, (\$200.00), or imprisonment for not less than ten (10) or more than thirty (30) days, or by both such fine and imprisonment".

CHESTER W. WHITMORE.

Amend Senate File number five hundred and eight by striking from sec-

tion fourteen all that part following the word "vehicle" in line twenty-one also all of lines twenty-two and twenty-three and substituting a period for the comma following the word vehicle in line twenty-one.

Amend Senate File number five hundred and eight by striking from section twenty-five beginning at the end of the word "exceed" in line ninety-three the following "one hundred dollars (\$100.00) or by imprisonment not exceeding (30) days" and substituting in lieu thereof "ten (\$10.00) dollars".

Amend Senate File number four hundred and eight by inserting after the word chauffeur in line forty eight of section ten the words "and employed for hire".

Amend Senate File number four hundred and seventy-eight section twenty by striking out the period at the end of said section and adding the following: "and the state treasurer is hereby authorized to call from the County treasurers of the counties of Iowa an amount sufficient in the aggregate to meet the requirements and conditions of any and all Federal appropriations for road building purposes in the state of Iowa according to the proportion that each county should bear in one year."

Amend Senate File number four hundred and seventy-eight by striking from line twenty-three of section twenty the words "one half" following the period after the word "treasurer" and insert in lieu thereof the words "one fourth" also strike from line twenty-five of said section following the word "said" the words "five" and insert in lieu thereof the words and figures "two and one half ( $2\frac{1}{2}$ )"

Amend Senate File Number five hundred and eight by striking from section four, line nineteen thereof the words "and fee" at the beginning of said line, also change the period after the word "department" in said line to a comma and add the following "and shall upon the last secular day of each calendar month remit to the treasurer of state all fees collected from motor vehicle licenses during that month." Also renumber the lines of section.

Amend Senate File number five hundred and eight by striking from section nine thereof all that part of the section down to and including the period following the word "act" in line six, and insert in lieu thereof the following "An annual license fee of one and one-half per cent ( $1\frac{1}{2}\%$ ) of the original factory cost estimated upon the basis of even hundreds, provided that a major fraction of hundred shall be for the purposes of this act estimated as an even hundred shall be paid upon the registration or re-registration of all motor vehicles except motor trucks, motorcycles, and motor bicycles."

Also renumber the lines of the section.

Amend Senate File Number five hundred and eight by striking from section fourteen, line twenty-two all that part following the word "than" and all of line twenty three and insert in lieu thereof the following "ten dollars" (\$10.00).

Amend Senate File number 508, Section three by adding as a paragraph after paragraph (e) between lines seventeen and eighteen the following: "I have complied with the law regulating the use of lighting devices on motor vehicles" And change (f) in line eighteen to (g).

J. D. BUSK.

Amend Senate File No. 478 by adding at the end of Section 2 the following: "It shall be the duty of the several assessors in their respective townships, cities or towns to list all automobiles at the time of making assessments the same as other property in a book to be prepared and furnished by the respective counties for that purpose, showing the name of the owner, the license number of the car, style of car, and engine or serial number of the car, and to furnish the county treasurer of their several counties on or before April 15th of each year a list showing the names of the car owners and the other facts enumerated herein in alphabetical order. And it shall be the duty of the county treasurer of each county to prepare a like alphabetical list of his county from the several lists furnished by the assessors and file a copy of the same with the treasurer of state within thirty days after the same are received from the assessors; said lists to be used by the several county treasurers and the state treasurer in checking up those delinquent in the payment of license fees."

J. L. BROOKHART.

#### STATEMENT OF SECRETARY OF THE SENATE.

I certify that I have this day transmitted to Governor W. L. Harding certified copy of the report of the Committee on Departmental Affairs and subsequent proceedings had in connection therewith as the same appear on pages 1548, 1549, 1550, 1551 and 1552 of the Senate Journal of April 2, 1919.

THOMAS WATERS, JR.,  
*Secretary of the Senate.*

#### THIRD READING OF BILLS.

On motion of Senator Frailey, Senate File No. 490, a bill for an act defining group life insurance, authorizing Chapter six (6) life insurance companies to issue contracts providing for such group life insurance, fixing the terms under which such group life insurance can be written, prescribing certain provisions and conditions to be embodied in such life insurance contract, and waiving the medical examination required by Section seventeen hundred eighty-three-b (1783-b), Supplement to the Code, in all cases of such group life insurance, a committee bill was taken up for consideration and on request of Senator Frailey, House File No. 546, a companion bill, was substituted therefor.

Senator Frailey moved that the rules be suspended, and the bill

be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 42.

Anderson	Greenell	Proudfoot
Arney	Hale	Rainbow
Balkema	Haskell	Reed
Ball	Holdoegel	Rule
Bookhart	Horchem	Schaffter
Broxam	Kimball	Scott
Buser	Kimberly	Shane
Cessna	LeCompte	Smith
Edwards	Meredith	Stephenson
Evans	Mitchell	Stoddard
Fellows	Nelson	Thompson
Foskett	Newberry	Van Alstine
Foster	Parker	Whitmore
Fralley	Price	Wilson

Nays, none.

Absent or not voting, 8.

Adams	Kingland	Taylor
Byington	Pitt	White
Coburn	Ratcliff	

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

#### SENATE FILE WITHDRAWN.

By unanimous consent, Senator Frailey withdrew Senate File No. 490 from further consideration.

#### RESOLUTION FOR SIFTING COMMITTEE ADOPTED.

Senator Whitmore called up the following Senate resolution and asked that it be considered at this time:

*Be It Resolved by the Senate of the General Assembly of Iowa:*

That the president of the Senate shall on or before March 31, 1919, appoint a sifting committee of seven members to which shall be referred all bills other than appropriation bills, and that beginning Tuesday morning, April 1, 1919, no bills shall be considered except appropriation bills and bills then upon the Senate calendar unless reported by said sifting committee. And no bills shall be reported or considered by the Senate that have been reported for indefinite postponement.

Senator Whitmore offered the following amendment and moved its adoption:

Amend by changing the date "March 31st" to "April 4th," and by changing the date "April 1st" to "April 8th".

Senator Pitt moved the previous question, which motion prevailed and the previous question was ordered.

The amendment was adopted.

The resolution as amended was adopted.

### THIRD READING OF BILLS.

On motion of Senator Frailey, Senate File No. 491, a bill for an act to amend the law as it appears in Section 1824 of the Code, relating to fraternal beneficiary societies, and providing who may be beneficiaries under certificates issued by such societies, a committee bill, was taken up and considered.

Senator Proudfoot offered the following amendment and moved its adoption:

Amend by striking from line 7 the word "or" and inserting a comma (,) and by inserting also the words "legal representative or"; and also by inserting after the word "consent" and before the word "of" in line 11, the words "of the governing body or board".

The amendment was adopted.

Senator Frailey 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 vote was:

Ayes, 39:

Anderson	Frailey	Proudfoot
Arney	Greenell	Rainbow
Balkema	Hale	Reed
Ball	Haskell	Rule
Brookhart	Holdoegel	Scott
Buser	Horchem	Shane
Byington	Kimball	Smith
Cessna	Kimberly	Stephenson
Edwards	LeCompte	Stoddard
Evans	Meredith	Thompson
Fellows	Mitchell	Van Alstine
Foskett	Parker	Whitmore
Foster	Price	Wilson

Nays, 2.

Coburn

Schaffter

Absent or not voting, 9.

Adams	Nelson	Ratcliff
Broxam	Newberry	Taylor
Kingland	Pitt	White

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 Frailey, Senate File No. 492, a bill for an act to amend the law as it appears in section eighteen hundred twenty-two (1822), Supplement to the Code, 1913, relating to the matter of fraternal beneficiary societies, orders and associations, a committee bill, was taken up and considered.

Senator Proudfoot offered the following amendment and moved its adoption:

Amend Senate File No. 492 by striking from line 6 the words "the American" and by striking all of line 7 and the first two words of line 8 and inserting in lieu thereof the following:

"the mortality table set forth in section 1839-J Supplement to the Code, 1913, and where the valuation of all its certificates disclose the society to be solvent as provided in said section".

The amendment was adopted.

Senator Proudfoot offered the following amendment and moved its adoption:

Amend by striking out Section 2.

The amendment was adopted.

Senator Frailey 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 vote was:

Ayes, 38.

Anderson	Evans	Meredith
Arney	Fellows	Mitchell
Balkema	Foster	Parker
Ball	Frailey	Price
Brookhart	Greenell	Proudfoot
Broxam	Hale	Rainbow
Buser	Haskell	Reed
Byington	Horchem	Rule
Coburn	Kimberly	Schaffter
Edwards	LeCompte	

Scott  
Shane  
Smith

Stephenson  
Stoddard  
Thompson

Van Alstine  
Whitmore  
Wilson

Nays, none.

Absent or not voting, 12.

Adams  
Cessna  
Foskett  
Holdoegel

Kimball  
Kingland  
Nelson  
Newberry

Pitt  
Ratcliff  
Taylor  
White

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

Senator Proudfoot offered the following amendment to the title and moved its adoption:

Amend the title by striking out the period after the word "associations" and adding these words: "and the issuance of certificates by said associations."

The amendment was adopted and the title as amended was agreed to.

#### SPECIAL ORDER.

On motion of Senator Balkema, Senate File No. 496, the committee road bill, was made a special order for Wednesday, April 9th, at 10:30 a. m.

#### REPORTS OF COMMITTEES.

Senator Adams, from the committee on fish and game, submitted the following report:

MR. PRESIDENT—Your committee on fish and game, to whom was referred House File No. 49, a bill for an act to repeal Section 2348 Supplement to the Code, 1913, beg leave to report they have had the same under consideration and recommend the same do pass.

H. C. ADAMS, *Chairman*.

Ordered passed on file.

Also:

Your committee on fish and game, to whom was referred House File No. 117, a bill for an act making it unlawful to use ferrets to kill or capture rabbits and providing punishment therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

H. C. ADAMS, *Chairman*.

Ordered passed on file.



Also:

Your committee on fish and game, to whom was referred Senate File No. 450, a bill for an act to amend Chapter Two Hundred Thirty-six (236) of the acts of the Thirty Seventh General Assembly relating to Public Parks and appropriations therefor out of the funds of the Fish and Game Wardens Department and providing a substitute therefor, beg leave to report they have had the same under consideration and recommend the same do pass.

H. C. ADAMS, *Chairman.*

Ordered passed on file.

Also:

Your committee on fish and game, to whom was referred Senate File No. 413, a bill for an act to amend Title Twelve (12) Chapter Fifteen (15) of Supplement to the Code 1913 relative to fish and game and providing for the issue of hunting and fishing license, beg leave to report they have had the same under consideration and recommend the same do pass.

H. C. ADAMS, *Chairman.*

Ordered passed on file.

Also:

Your committee on fish and game, to whom was referred Senate File No. 359, a bill for an act to repeal Chapter two hundred two (202) of the acts of the thirty-seventh General Assembly and to provide for an open season on Prairie Chicken, beg leave to report they have had the same under consideration and recommend the same do pass.

H. C. ADAMS, *Chairman.*

Ordered passed on file.

Also:

Your committee on fish and game, to whom was referred Senate File No. 358, a bill for an act to repeal chapter two hundred thirty-three (233) of the acts of the thirty-seventh General Assembly and providing for an open season on quail, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

H. C. ADAMS, *Chairman.*

Senator Price asked for a roll call and invoked rule 8.

On the question, "Shall the report of the committee be adopted?" the vote was:

## Ayes, 32.

Arney	Hale	Proudfoot
Balkema	Hoskell	Rainbow
Ball	Holdoegel	Ratcliff
Buser	Horchem	Reed
Byington	Kingland	Rule
Coburn	LeCompte	Scott
Edwards	Mitchell	Shane
Evans	Nelson	Stephenson
Fellows	Newberry	Stoddard
Foskett	Parker	Taylor
Foster	Pitt	

## Nays, 12.

Anderson	Fralley	Smith
Brookhart	Greenell	Van Alstine
Broxam	Me-edith	Whitmore
Cessna	Price	Wilson

## Absent or not voting, 6.

Adams	Kimberly	Thompson
Kimball	Schaffter	White

The report was adopted and the bill indefinitely postponed.

## Also:

Your committee on fish and game, to whom was referred Senate File No. 372, a bill for an act to amend Section 2540 Supplemental Supplement to the Code, 1915, in relation to the time when people may fish with rod, hook and line, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

H. C. ADAMS, *Chairman*.

On motion of Senator Adams, the report of the committee was adopted and the bill indefinitely postponed.

## Also:

Your committee on fish and game, to whom was referred Senate File No. 411, a bill for an act to amend Section Twenty five hundred forty (2540) Supplement to the Code 1913, relating to fishing and prohibiting the use of the trot line, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

H. C. ADAMS, *Chairman*.

On motion of Senator Adams, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on fish and game, to whom was referred House File No. 446, a bill for an act to amend the law as it appears in Section Four thousand eight hundred twenty-one (4821) supplement to the code, 1913, relating to hunting upon cultivated and closed lands, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

H. C. ADAMS, *Chairman*.

On motion of Senator Adams, the report of the committee was adopted and the bill indefinitely postponed.

Senator Balkema, from the committee on highways, submitted the following report:

MR. PRESIDENT—Your committee on highways, to whom was referred House File No. 279, a bill for an act to amend the law as it appears in Section 468-a, Supplement to the Code, 1913, beg leave to report they have had the same under consideration and recommend the same do pass.

N. BALKEMA, *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. 368, a bill for an act to amend section fifty seven hundred eighteen-a eighteen (5718-a18), supplement to the code, 1913, relating to rules and regulations governing paroles.

W. C. RAMSAY, *Chief Clerk*.

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 544, a bill for an act to require every railroad, whether operated by steam or electricity, to acquire rights of way for, construct, connect, maintain, and operate spur tracks, and providing for payment thereof.

W. C. RAMSAY, *Chief Clerk*.

Also:

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. 19, a bill for an act to amend section four hundred three (403), supplement to the code, 1913, relating to the issuance of county bonds and limiting the indebtedness of counties for road purposes in anticipation of current revenues.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 178, a bill for an act to amend the law as it appears in section two thousand five hundred fifteen (2515) of the supplemental supplement to the code, 1915, and relating to the appointment of a dairy and food commissioner, a deputy dairy and food commissioner, a state dairy inspector, assistants, a chemist, and a bacteriologist and assistant chemist, define the power and duties of such officers; and to amend the law as it appears in section two thousand five hundred fifteen-g (2515-g) of the supplement to the code, 1913, relating to penalties for violating the dairy laws enforced by the dairy and food commissioner; and to amend section two thousand five hundred twenty-two (2522) of the supplement to the code, 1913, relating to making reports by manufacturers of certain dairy products; and to amend chapter thirteen (13) of title XII of the code by adding thereto a section relating to the registration and use of marks or brands on containers used for handling skimmed-milk, butter-milk, milk, cream and ice cream, also a section relating to the use of the words "butter", "creamery" and "dairy" on substitutes for butter and advertising material pertaining thereto; and to repeal the law as it appears in sections two thousand five hundred fifteen-b (2515-b) and two thousand five hundred fifteen-c (2515-c) of the supplement to the code, 1913, and section two thousand and five hundred fifteen-d (2515-d) supplement to the code, 1913, as amended by chapter three hundred seventy-seven (377), section one (1), acts of the thirty-seventh general assembly, and to enact substitutes therefor relating to the sale of imitation evaporated milk, imitation ice cream, skimmed milk, milk, cream and other dairy products.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 381, a bill for an act to amend section one (1) chapter one hundred ninety-one (191) Acts of the Thirty-Seventh General Assembly relating to soldiers and sailors and widows exemption.

#### HOUSE AMENDMENT.

Amend the title to Senate File No. 381 by striking out the word "and" in the fourth line thereof and inserting a comma in lieu thereof; also by inserting after the word "sailors" in the fourth line thereof the words "and marines".

Also amend Section 1 by striking out the word "or" where it first appears in the sixth line and inserting in lieu thereof a comma; also by inserting after word "sailor" in said line the words "or marine"; also by striking out the word "or" in the seventh line of Section 1 after the word "sailor" and inserting in lieu thereof a comma; also by inserting after the word "sailor" in said line the words "or marine".

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 108, a bill for an act to amend Section 2722-j of the Supplemental Supplement to the Code, 1915, relating to the benefit that the County Board of Supervisors may allow persons who have been declared to be blind.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 544, a bill for an act to require every railroad, whether operated by steam or electricity, to acquire rights of way for, construct, connect, maintain, and operate spur tracks, and providing for payment thereof.

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

House File No. 368, a bill for an act to amend section fifty seven hundred eighteen-a eighteen (5718-a18), supplement to the code, 1913, relating to rules and regulations governing paroles.

Read first and second time and referred to committee on judiciary No. 2.

#### HOUSE AMENDMENTS CONCURRED IN.

Senator Pitt called up Senate File No. 321, amended by the House, and moved that the Senate concur in the following House amendments:

Amend Senate File No. 321 by inserting in Section 1, line 7, between the words "being" and "is", the words, "either mental or physical";

Also by striking out the word "working", from line 8; and by striking out the word "labor", from line 9.

On the question, "Shall the Senate concur?" the vote was:

## Ayes, 36.

Anderson	Greenell	Rainbow
Arney	Haskell	Ratcliff
Balkema	Holdoegel	Reed
Ball	Kimball	Rule
Brookhart	Kingland	Scott
Buser	Mitchell	Shane
Byington	Nelson	Smith
Edwards	Newberry	Stephenson
Evans	Parker	Stoddard
Fellows	Pitt	Taylor
Foskett	Price	Van Alstine
Frailey	Proudfoot	Whitmore

## Nays, 1.

Wilson

## Absent or not voting, 13.

Adams	Hale	Meredith
Broxam	Horchem	Schaffter
Cessna	Kimberly	Thompson
Coburn	LeCompte	White
Foster		

The House amendments having received a constitutional majority were declared to have been concurred in by the Senate.

## SENATE FILES WITHDRAWN.

By unanimous consent, Senator Price withdrew Senate File No. 359 from further consideration.

By unanimous consent, Senator Haskell withdrew Senate File No. 170 from further consideration.

By unanimous consent, Senator Parker withdrew Senate File No. 273 from further consideration.

By unanimous consent, Senator Proudfoot withdrew Senate File No. 360 from further consideration.

## SPECIAL ORDER.

On motion of Senator Schaffter, Senate File No. 431 was made a special order for Friday, April 4, 1919, at 10:30 a. m.

## MOTION TO RECONSIDER CALLED UP.

Senator Van Alstine called up the motion filed to reconsider the vote by which House File No. 268 failed to pass the Senate and also the vote by which the bill passed to its third reading.

The motion to reconsider prevailed.

## RESIGNATIONS OF COMMITTEE CLERKS.

April 3, 1919.

LIEUTENANT GOVERNOR E. R. MOORE, *President of the Senate.*

DEAR SIR—We hereby tender our resignation as committee clerks of the Senate, as of March 31, 1919.

Very truly yours,

HARRIETT KING CARD,  
EDYTHE P. DITTO,  
M. S. WILDER,  
ANNABELLE MILLER.

April 3, 1919.

LIEUTENANT GOVERNOR E. R. MOORE, *President of the Senate.*

DEAR SIR—I hereby tender my resignation as committee clerk of the Senate, as of noon April 2, 1919.

Very truly yours,

WEBB STUMP.

The resignations were accepted.

## CORRECTION OF THE JOURNAL.

The journal of April 2d was corrected and approved.

On motion of Senator Haskell, Senate adjourned until 9:00 a. m. Friday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 4, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. Wm. Hardcastle, of Iowa Falls.

## LEAVE OF ABSENCE.

On request of Senator Brookhart, leave of absence was granted Senator Stephenson for the forenoon.

## INTRODUCTION OF BILLS.

By committee on judiciary No. 2, Senate File No. 518, a bill for an act to legalize certain conveyances heretofore made, purporting to convey real property situated within the incorporated town of New Rippey, in Greene County, Iowa, and to correct errors in the title thereto.

Read first and second time and passed on file.

By committee on schools, Senate File No. 519, a bill for an act to repeal the law as it appears in Section two thousand seven hundred and forty-four (2744) Supplement to the Code, 1913, relating to schools, and enacting a substitute therefor.

Read first and second time and passed on file.

## REPORTS OF COMMITTEES.

Senator Edwards from the committee on county and township affairs submitted the following report:

MR. PRESIDENT—Your committee on county and township affairs to whom was referred Senate File No. 465, a bill for an act to amend an act of the 30th General Assembly, being sections 1989-a1 to 1989-a56 of the supplement to the Code, 1913, and amendments thereto, 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:



Amend Section 6, line 1, by striking out the word "levy" and inserting the word "levee" in lieu thereof.

Also amend by adding the following sections:

Section 9. This act shall not apply to any drainage district that does not have and maintain a pumping plant.

Section 10. This act shall not affect pending litigation.

Also re-number the publication clause as Section 11.

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs to whom was referred House File No. 423, a bill for an act to amend the law as it appears in chapter forty-nine (49) Section twelve (12) of the acts of the thirty-seventh General Assembly relating to Board of county prisoners, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs, to whom was referred House File No. 441, a bill for an act to amend the law as it appears in section 254-a 20, supplement to the Code, 1913, relating to the amount of financial aid to be given to widowed mothers to properly care for their children, 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:

Amend by striking out the word "four" in the last line of Section One (1) of the bill and substituting in lieu thereof the word "three".

BEN EDWARDS, *Chairman.*

Ordered passed on file.

Also:

Your committee on county and township affairs, to whom was referred House File No. 496, a bill for an act to amend section 576, supplement to the code, 1913, relating to the duties of township clerks and the deposit of public funds collected by them, 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:

Amend by inserting after the word "deposit" in line four section 1, the following: "in the name of and to the credit of the township of which he is clerk".

Also by adding after the period in line 18 of said section, the following: "provided that no check shall be drawn upon said township bank account by the township clerk, except it be in payment of bills which have come before and have been properly audited or authorized by the township Board of Trustees."

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred House File No. 382, a bill for an act To amend the law as it appears in Section twenty-seven hundred forty (2740) of the Code, relating to the duties of county superintendents, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Also:

Your committee on public schools, to whom was referred House File No. 410, a bill for an act To amend Section 2778, supplemental supplement to the Code 1915, relating to contracts with teachers, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

Also:

Your committee on public schools, to whom was referred House File No. 344, a bill for an act To amend section two thousand seven hundred thirty-four-p1 (2734-p1) relating to teaching experience; to repeal section two thousand seven hundred thirty-four-p2 (2734-p2) supplement to the Code, 1913, relating to provisional certificates; and to amend section two thousand seven hundred thirty-four-a (2734-a), supplement to the code, 1913, relating to special examinations, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman*.

Ordered passed on file.

## CONCURRENT RESOLUTION WITHDRAWN.

By unanimous consent, Senator Wilson withdrew concurrent resolution relative to uni-cameral system of legislation from further consideration.

## HOUSE AMENDMENT CONCURRED IN.

Senator Wilson called up Senate File No. 381 amended by the House, and moved that the Senate concur in the following House amendments:

## HOUSE AMENDMENT.

Amend the title to Senate File No. 381 by striking out the word "and" in the fourth line thereof and inserting a comma in lieu thereof; also by inserting after the word "sailors" in the fourth line thereof the words "and marines".

Also amend Section 1 by striking out the word "or" where it first appears in the sixth line and inserting in lieu thereof a comma; also by inserting after the word "sailor" in said line the words "or marines"; also by striking out the word "or" in the seventh line of Section 1 after the word "sailor" and inserting in lieu thereof a comma; also by inserting after the word "sailor" in said line the words "or marines".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 31.

Adams	Greenell	Rainbow
Anderson	Hale	Reed
Arney	Haskell	Rule
Brookhart	Holdoegel	Schaffter
Broxam	Horchem	Smith
Buser	Kimball	Stoddard
Byington	Meredith	Taylor
Coburn	Newberry	Thompson
Edwards	Parker	Whitmore
Fellows	Froudfoot	Wilson
Fralley		

Nays, none.

Absent or not voting, 19.

Balkema	Kingland	Ratcliff
Ball	LeCompte	Scott
Cessna	Witchell	Shane
Evans	Nelson	Stephenson
Foskett	Pitt	Van Alstine
Foster	Price	White
Kimberly		

The House amendment, having received a constitutional majority, was declared to have been concurred in by the Senate.

## HOUSE JOINT RESOLUTION REFERRED.

On motion of Senator Parker, House joint resolution No. 1 was referred to committee on cities and towns.

## HOUSE FILE NO. 441 RE-REFERRED.

On motion of Senator Rule, House File No. 441 was re-referred to committee on county and township affairs.

## MOTION TO RECONSIDER FILED.

I move to reconsider the vote by which Senate File No. 489 passed the Senate.

J. R. FRAILEY.

## MOTION TO RECONSIDER CALLED UP.

Senator Schaffter called up the motion filed to reconsider the vote by which Senate File No. 436 failed to pass the Senate.

The motion to reconsider prevailed.

Senator Schaffter invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 26.

Adams	Holdoegel	Shaffter
Buser	Horchem	Scott
Byington	Kimball	Shane
Edwards	Nelson	Smith
Foster	Parker	Stoddard
Frailey	Rainbow	Van Alstine
Greenell	Ratcliff	White
Hale	Reed	Wilson
Haakell	Rule	

Nays, 18.

Anderson	Cessna	Newberry
Arney	Coburn	Price
Balkema	Fellows	Proudfoot
Ball	Kimball	Taylor
Brookhart	LeCompte	Thompson
Broxam	Meredith	Whitmore

Absent or not voting, 6.

Evans	Kingland	Pitt
Foskett	Mitchell	Stephenson

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

President pro tem Arney was called to the chair at 9:45 a. m.

## THIRD READING OF BILLS.

On motion of Senator Holdoegel, Senate File No. 493, a bill for an act to repeal sections five thousand seven hundred eighteen-a-fourteen (5718-a14), five thousand seven hundred eighteen-a-fifteen (5718-a15), five thousand seven hundred eighteen-a-sixteen (5718-a16), five thousand seven hundred eighteen-a-seventeen (5718-a17), five thousand seven hundred eighteen-a-eighteen (5718-a18), five thousand seven hundred eighteen-a-nineteen (5718-a-19), five thousand seven hundred eighteen-a-twenty (5718-a20), five thousand seven hundred eighteen-a-twenty-one (5718-a21), five thousand seven hundred eighteen-a-twenty-two (5718-a22), five thousand seven hundred eighteen-a-twenty-three (5718-a23), five thousand seven hundred eighteen-a-twenty-four (5718-a24), five thousand seven hundred eighteen-a-twenty-five (5718-a25), five thousand seven hundred eighteen-a-twenty-six (5718-a26), Supplement to the Code, 1913, and enact substitutes therefor, and abolishing the board of parole and transferring its jurisdiction, powers, duties, records, and secretary to the board of control and authorizing the board of control to employ necessary help to perform such duties and making appropriation to pay the necessary expense for the performance of such duties, a committee bill, was taken up and considered.

Senator Parker was called to the chair at 9:50 a. m.

Persident pro tem Arney resumed the chair at 9:55.

Further action was deferred on account of a special order for this time.

The time having arrived for consideration of Special Order No. 1, on motion of Senator Reed, House File No. 343, a bill for an act to repeal Section three hundred eight (308) of the Supplemental Supplement to the Code, 1915, relating to compensation of County attorneys, and for enacting a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Thompson offered the following amendment and moved its adoption:

Amend by striking out of lines 11 and 12 thereof the words "two thousand dollars" and inserting in lieu thereof the words "fifteen hundred dollars."

The amendment was lost.

Senator Ball offered the following amendment and moved its adoption:

I move to strike out the enacting clause of House File No. 343.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 5.

Ball  
Greenell

Kingland  
Price

Thompson

Nays, 38.

Adams  
Anderson  
Arney  
Byington  
Coburn  
Edwards  
Evans  
Fellows  
Foskett  
Foster  
Frailey  
Hale  
Haskell

Holdoegel  
Horchem  
Kimball  
Kimberly  
LeCompte  
Meredith  
Mitchell  
Nelson  
Newberry  
Parker  
Proudfoot  
Rainbow  
Ratcliff

Reed  
Rule  
Schaffter  
Scott  
Shane  
Smith  
Stoddard  
Taylor  
Van Alstine  
White  
Whitmore  
Wilson

Absent or not voting, 7.

Balkema  
Brookhart  
Broxam

Buser  
Cessna

Pitt  
Stephenson

The amendment was lost.

Senator Smith offered the following amendment and moved its adoption:

Amend by inserting as Section 2 the following:

SEC. 2. It shall be the duty of the county attorney to furnish free of charge legal advice to all school boards and township officers.

The amendment was adopted.

Senator Hale moved the previous question, which motion prevailed and the previous question was ordered.

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

On the question, "Shall the bill pass?" the vote was:

## Ayes, 35.

Adams	Haskell	Reed
Anderson	Holdoegel	Rule
Arney	Horchem	Schaffter
Ealkema	Kimball	Scott
Broxam	Kimberly	Shane
Byington	LeCompte	Smith
Coburn	Mitchell	Stoddard
Edwards	Newberry	Taylor
Evans	Parker	White
Foster	Proudfoot	Wilson
Fralley	Rainbow	Whitmore
Hale	Ratcliff	

Senator Reed moved that the vote by which House File No. 343 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Schaffter, Senate File 431, a bill for an act to amend the law as it appears in Chapter five (5), Title (VI) of the Code, relating to the election of presidential electors and to amend Section eleven hundred and seventy-three (1173), Supplement to the Code, 1913, and to provide that the right to vote for presidential electors shall not be abridged on account of sex, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

## Nays, 10.

Ball	Greenell	Nelson
Brookhart	Kingland	Price
Buser	Meredith	Thompson
Fellows		

## Absent or not voting, 5.

Cesana	Pitt	Van Alstine
Foskett	Stephenson	

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

Senator Reed offered the following amendment to the title and moved its adoption:

Amend the title by inserting after the word "compensation" in line 2 the words "and duties".

The amendment was adopted and the title as amended was agreed to.

The following committee amendments were adopted:

Amend by striking out all after the enacting clause and substituting therefor the following:

"SECTION 1. That section eleven hundred seventy-three (1173), supplement to the code, 1913, as amended by the Thirty-eighth General Assembly be and the same is hereby amended by adding thereto the following:

'Provided, however, that the right to vote for presidential electors shall not be denied or abridged on account of sex, and that every woman who has attained the age of twenty-one (21) years and who possesses all other qualifications requisite to a male voter, shall be entitled to vote, the same as men, at any election held for the purpose of electing presidential electors.'

"Sec. 2. That section eleven hundred six (1106) of the code as amended by the Acts of the Thirty-eighth General Assembly be and is hereby amended by adding thereto the following:

'At any general election hereafter held for the election of presidential electors a separate ballot shall be provided for women, substantially in the following form:

<p>O REPUBLICAN</p> <p>For president</p> <p>A — B —</p> <p>of Ohio</p> <p>For</p> <p>Vice President</p> <p>C — D —</p> <p>of New York</p>	<p>O DEMOCRATIC</p> <p>For President</p> <p>N — O —</p> <p>of Virginia</p> <p>For</p> <p>Vice President</p> <p>P — Q —</p> <p>of Indiana</p>	<p>O PROHIBITION</p> <p>For President</p> <p>A — B —</p> <p>of Maine</p> <p>For</p> <p>Vice President</p> <p>C — D —</p> <p>of Illinois</p>	<p>O UNION LABOR</p> <p>For President</p> <p>N — O —</p> <p>of Idaho</p> <p>For</p> <p>Vice President</p> <p>P — Q —</p> <p>of Ohio</p>
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"And said ballot may be voted by them in the manner provided for the government of elections of said officers and shall be counted the same as other ballots cast at such elections.'

"SEC. 3. That section eleven hundred thirty-one (1131) of the code be and the same is hereby amended by substituting a comma (,) for the period (.) at the end thereof, and adding the following: 'except that in elections for president, vice-president and presidential electors, women shall be required to register as provided in Chapter Two (2) of this title and acts amendatory thereto.'

"SEC. 4. That section ten hundred seventy-seven (1077), supplement to the code, 1913, be and the same is hereby amended by inserting in the seventh line, after the word 'day' the following: 'including women entitled to vote for president, vice president and presidential electors.'"

Also amend Senate File No. 431 by striking out the title thereto and substituting therefor the following:



## "A BILL FOR AN ACT

To amend the law as it appears in section eleven hundred six (1106) of the code as amended by Senate File No. 21 of the Acts of the Thirty-eighth General Assembly, section eleven thirty-one (1131) of the code, section ten hundred seventy-seven (1077), supplement to the code, 1913, and section eleven hundred seventy-three (1173) supplement to the code, 1913, relating to the election of presidential electors, registration of voters, and to provide that the right to vote for presidential electors shall not be abridged on account of sex."

Senator Schaffter offered the following amendment and moved its adoption:

Amend Section 3 of Senate File No. 431 by substituting the following in lieu of said section:

"Sec. 3. That section eleven hundred thirty-one (1131) of the Code, be and the same is hereby amended in the sixth line thereof by adding after the word "vote" a semi-colon instead of the period and the following: "except that in elections for president, vice president and presidential electors, women shall be required to register as provided in Chapter two (2) of this title, and acts amendatory thereto, and separate ballot box shall not be used for women's ballots at such elections."

The amendment was adopted.

Senator Schaffter 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.

Senator Price invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Adams	Haskell	Reed
Anderson	Holdoegel	Rule
Arney	Horchem	Schaffter
Balkema	Kimball	Scott
Ball	Kingland	Shane
Brookhart	LaCompte	Smith
Coburn	Meredith	Stoddard
Edwards	Newberry	Taylor
Evans	Parker	Van Alstine
Fellows	Price	White
Foster	Proudfoot	Whitmore
Fralley	Rainbow	Wilson
Hale	Ratchiff	

Nays, 3.

Buser

Byington

Nelson

Absent or not voting, 9.

Broxam	Greenell	Pitt
Cessna	Kimberly	Stephenson
Foskett	Mitchell	Thompson

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

Senator Schaffter moved that the vote by which Senate File No. 431 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Price, Senate File No. 357, a bill for an act to provide for the levy and collection of a tonnage tax on all coal mined and sold in Iowa, by coal mining companies and that the said tax shall be used for the support of schools where miners' children are educated, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Proudfoot moved that the bill be referred to the joint committees on judiciary Nos. 1 and 2.

Senator Price asked for a roll call.

On the question, "Shall the motion prevail?" the vote was:

Ayes, 19.

Anderson	Fellows	Proudfoot
Arney	Hale	Ratcliff
Brookhart	Haskell	Rule
Broxam	Kingland	Schaffter
Buser	Nelson	Scott
Byington	Parker	Stoddard
Coburn		

Nays, 15.

Adams	LeCompte	Smith
Balkema	Newberry	Van Alstine
Ball	Price	White
Edwards	Rainbow	Whitmore
Holdoegel	Shane	Wilson

Absent or not voting, 16.

Cessna	Horchem	Pitt
Evans	Kimball	Reed
Foskett	Kimberly	Stephenson
Foster	Meredith	Taylor
Fralley	Mitchell	Thompson
Greenell		

The motion prevailed and the bill was referred to the joint committees on judiciary.

Senator Newberry moved that the judiciary committees be directed to report back on Senate File No. 357 by Tuesday, April 8th, and that it be made a special order for 9:30.

The motion prevailed.

#### MOTION TO RECONSIDER FILED.

April 4, 1919.

I move to reconsider the vote by which Senate File No. 492 passed the Senate on April 3, 1919, and the vote by which same went to its third reading.

A. V. PROUDFOOT.

#### SIFTING COMMITTEE.

The following were appointed by President Moore as members of the Senate Sifting committee, in accordance with resolution duly adopted:

Senators Proudfoot, Frailey, Newberry, Smith, LeCompte, Coburn and Greenell.

On motion of Senator Kingland, Senate adjourned until 1:30 p. m., today.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President pro tem Arney presiding.

Senator Schaffter from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 442, a bill for an act to legalize the plat and dedication of the incorporated town of Long Grove, Scott County, Iowa.

Also:

Senate File No. 127, a bill for an act providing for a transcript of any conveyance executed by any executor, administrator, guardian or trustee, which has been recorded in the office of the clerk of the District or Circuit Courts of the State of Iowa, and for filing and recording same in the office of the county recorder.

Also:

Senate File No. 227, a bill for an act to establish a home for dependent, neglected, delinquent or destitute children, residents of Iowa, as defined by the laws of the State of Iowa, to secure necessary grounds, site, buildings equipment therefor, conferring full power to manage, control and govern the same upon the Board of Control of State Institutions, and to make necessary appropriations therefor.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 442, a bill for an act to legalize the plat and dedication of the incorporated town of Long Grove, Scott County, Iowa.

Also:

Senate File No. 127, a bill for an act providing for a transcript of any conveyance executed by any executor, administrator, guardian or trustee, which has been recorded in the office of the clerk of the District or Circuit Courts of the State of Iowa, and for filing and recording same in the office of the county recorder.

Also:

Senate File No. 227, a bill for an act to establish a home for dependent, neglected, delinquent or destitute children, residents of Iowa, as defined by the laws of the State of Iowa, to secure necessary grounds, site, buildings and equipment therefor, conferring full power to manage, control and govern the same upon the Board of Control of State Institutions, and to make necessary appropriations therefor.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 the following bills:

House File No. 199, a bill for an act to legalize the publication of certain notices of incorporation in cases where notice had not been published within the time as provided in section sixteen hundred fourteen (1614) of the code.

Also:

House File No. 205, a bill for an act to amend the law as it appears in chapter one hundred thirty-one (131), laws of the thirty-seventh (37th) general assembly, relative to levying taxes by cities and towns for the purpose of equipping fire departments.

Also:

House File No. 266, a bill for an act to amend section seven hundred seventyseven (777), supplement to the code, 1913, relating to temporary sidewalks in cities and towns.

Also:

House File No. 290, a bill for an act to amend section twenty-seven hundred seventy-three (2773), supplement to the code, 1913, and twenty-seven hundred thirty-three-one a (2733-1a), supplemental supplement to the code, 1915, relating to the length of time pupils may attend the public schools and the payment of tuition in certain cases.

Also:

House File No. 398, a bill for an act to aid in the securing of loans by deserving persons whose business or circumstances are such as to make it desirable or convenient for them to accumulate funds with which to repay such loans by paying into a fund comparatively small amounts at frequent regular intervals, and to provide for the taxation of corporations engaged in such loan business.

Also:

House File No. 439, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants for the town of Dallas Center, Iowa.

Also:

House File No. 456, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants for the town of Adel, Iowa.

**Also:**

House File No. 466, a bill for an act authorizing and directing the governor and secretary of state to execute and deliver to Homer Clark a patent conveying government lot 2 of section 31, township 77 north, range 20 west 5th P. M., in Marion County, Iowa.

**Also:**

House File No. 479, a bill for an act authorizing the governor of the state of Iowa to issue patent conveying to Joseph B. Hill, the following described lands situated and lying in Greene County, State of Iowa, to wit: the southeast quarter (SE $\frac{1}{4}$ ) of the northwest quarter (NW $\frac{1}{4}$ ) of section seventeen (17), township eighty-five (85) north range thirty (30), west of the fifth (5th) Principal Meridian and containing forty (40) acres, more or less, according to the government survey.

**Also:**

House File No. 535, a bill for an act to confer additional power on cities now or hereafter having a population of eighty-five (85,000) thousand inhabitants or over, including cities acting under the commission plan of government, relating to municipal court buildings.

**Also:**

House File No. 303, a bill for an act to repeal section six hundred ninety-four c-six (694-c6) of the supplemental supplement to the code of Iowa, 1915, and to enact a substitute therefor, providing for the number of judges of the municipal court, and the clerks and bailiffs thereof, and the method of appointment, nomination, and election, and tenure of office.

**Also:**

House File No. 332, a bill for an act to repeal the law as it appears in section two thousand seven hundred and thirty-four-p (2734-p), supplement to the code, 1913, and to enact a substitute therefor and relating to qualification of teachers, teachers' certificates and fee therefor.

**Also:**

House File No. 389, a bill for an act to amend the law as it appears in section 694-c42 of the supplemental supplement to the code, 1915, relating to the pay of jurors in municipal courts.

**Also:**

House File No. 414, a bill for an act to amend the law as it appears in section one thousand nine hundred eighty-nine-a nine (1989-a9), supplement to the code, 1913, as amended by chapter two hundred sixty-four (264) of the acts of the 37th general assembly, by providing for keeping a record

of holders of drainage warrants, and for notifying such holders by the county treasurer of funds with which to pay such warrants.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### REPORTS OF COMMITTEES.

Senator Ball, from the committee on public health, submitted the following report:

MR. PRESIDENT—Your committee on public health, to whom was referred Senate File No. 395 (by Byington), a bill for an act to repeal the law as it appears in Sections twenty-five hundred seventy-five-a-11 (2575-a-11) twenty-five hundred seventy five-a twelve (2575-a12) etc. of the Supplement to the code, 1913, relating to vital statistics, beg leave to report they have had the same under consideration and recommend the same do pass.

GEO. W. BALL, *Chairman.*

Ordered passed on file.

Also:

Your committee on public health, to whom was referred House File No. 536, a bill for an act to amend the law as it appears in title four (4) chapter one (1), Supplemental Supplement to the Code, 1915, relating to the care of persons afflicted with tuberculosis, 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:

Amend by striking the word "shall" from line six of Section one following the word "supervisors" and inserting the word "may" in lieu thereof.

GEO. W. BALL, *Chairman.*

Ordered passed on file.

Also:

Your committee on public health, to whom was referred House File No. 510 (by Newton), a bill for an act to provide for establishing a warning card to be placed on any house, dwelling or place regarding a communicable disease where the attending physician is in doubt as to the proper diagnosis, or the householder, or person having a communicable disease is in doubt as regards the diagnosis when no physician has been in attendance, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

GEO. W. BALL, *Chairman.*

On motion of Senator Ball, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on public health, to whom was referred House File No. 407, a bill for an act to provide for any emergency of epidemic or of peril to the public health which may require the expenditure of a larger sum of money than has been appropriated for the state board of health, and making an appropriation for the purpose of carrying into effect the provisions of this act, beg leave to report they have had the same under consideration and recommend the substitution of the attached committee bill.

GEO. W. BALL, *Chairman*.

Ordered passed on file.

Also:

Your committee on public health, to whom was referred House File No. 433, a bill for an act to amend the law as it appears in sections four hundred nine-c (409-c), four hundred nine-d (409-d), four hundred nine-q (409-q), four hundred nine-s (409-s) Supplement to the Code, 1913, and to add to said chapter and title as additional sections four hundred nine-u (409-u), relating to the care of tuberculosis, 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:

Amend Section one (1) by inserting after the word "hospital" in line three (3) of the printed bill, the words "in the third line thereof".

Also by striking out the word "suffering" in line eight (8) in Section three (3) and inserting in lieu thereof the word "afflicted".

Also by striking out the word "suffering" in line eleven (11) and inserting the word "afflicted" in lieu thereof.

Also by striking out all of line eleven (11) after the word "infection", all of line twelve (12), thirteen (13), and fourteen (14) of section four (4), up to and including the word "for", and inserting in lieu thereof the following: "Then such person may be tried as provided in Section 2310-A2, Title 12, Chapter 2-A of the Supplement to the Code of 1913, and upon conviction may, by the district court, be committed to the state sanatorium, subject to the laws of admission at said institution, or any county sanatorium or other institution where tuberculosis is cared for."

Also by striking out all of section four (4) after the word "institution" in line twenty-two (22) and inserting in lieu thereof the following: "then upon complaint of the superintendent of any institution herein designated, such person may by order of the district court be segregated and



forcibly detained in a ward or room, for such purpose, and for such period of time as may be deemed advisable by the court to the end that such person may be properly treated, that the population of such institution may be protected and the decorum maintained."

Also by striking out all of Section five (5) after the word "appellation" in line seven (7).

GEO. W. BALL, *Chairman*.

Ordered passed on file.

Senator Foskett, from the committee on appropriations, submitted the following report:

MR. PRESIDENT—Your committee on appropriations, to whom was referred Senate File No. 231, a bill for an act to encourage the dairy industry, the beef cattle growing industry and the corn and small grain growing industry in the State of Iowa, and to aid in providing instruction in practical and scientific methods, beg leave to report they have had the same under consideration and recommend the substitution of the attached committee bill.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred House File No. 325, a bill for an act to authorize the executive council to contract for and cause to be installed an electrical and mechanical system for registration of votes of Members of the Assembly, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 461, a bill for an act to amend Section 12, Supplement to the Code, 1913, fixing the compensation of members of the General Assembly, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

H. I. FOSKETT, *Chairman*.

On motion of Senator Foskett, the report of the committee was adopted and the bill indefinitely postponed.

Senator Proudfoot, from the committee on judiciary No. 2, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 2, to whom was referred Senate File No. 438, a bill for an act to amend the law as it appears in Section 1072 of the Supplement to the Code, 1913, and providing for the appointment of the clerks of the district court of Iowa, by the judges of said court, and fixing the term for which the clerks of said court shall hold office, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman*.

On motion of Senator Proudfoot, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred House File No. 368, a bill for an act to amend section fifty seven hundred eighteen-a-eighteen (5718-a18), supplement to the code, 1913, relating to rules and regulations governing paroles, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman*.

On motion of Senator Proudfoot, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred House File No. 436, a bill for an act to repeal Sections two hundred eighty-a (280-a) and two hundred eighty-b (280-b), supplement to the code, 1913, and to enact substitutes in lieu thereof, in relation to Superior Court jurors, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman*.

Ordered passed on file.

Also:

Your committee on judiciary No. 2, to whom was referred House File No. 435, a bill for an act to amend section two hundred sixty-nine (269) of the code, and chapter two hundred sixty-seven (267), acts of the Thirty-seventh General Assembly, in relation to the selection and drawing of petit jurors and talesmen for superior courts, beg leave to report they have had the same under consideration and recommend the same do pass.

A. V. PROUDFOOT, *Chairman*.

Ordered passed on file.

Also: •

Your committee on judiciary No. 2, to whom was referred Senate File No. 280, a bill for an act to amend section sixteen hundred forty-one-b (1641-b), Supplement to the Code, 1913; to repeal section sixteen hundred forty-one-c (1641-c), Supplement to the Code, 1913, and to enact a substitute therefor; and to amend section sixteen hundred thirty-seven (1637), Supplement to the Code, 1913; and to provide regulations for the issuance and sale of stock by corporations, and to regulate the amount that may be expended in promotion fees and expenses, and to provide penalty for violation of the provisions of this act, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 455, a bill for an act conferring upon the Executive Council additional powers as a state board of review, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report of the committee was adopted and the bill indefinitely postponed.

Senator Scott, from the committee on public libraries, submitted the following report:

MR. PRESIDENT—Your committee on public libraries, to whom was referred House File No. 322, a bill for an act to repeal section seven hundred thirty-one (731) of the Code and enact a substitute therefor relating to the report of trustees of libraries, beg leave to report they have had the same under consideration and recommend the same do pass.

W. H. SCOTT, *Chairman.*

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By committee on public health, Senate File No. 520, a bill for an act to amend Section One Hundred Seventy (170) of the Code relating to the powers of the Executive Council in issuing warrants on the contingent fund.

Read first and second time and passed on file.

By committee on public health, Senate File No. 521, a bill for an act to amend the law as it appears in section twenty-five hundred seventy-five-a-twenty-nine (2575-a29), supplement to the code, 1913, relative to the qualifications for the practice of nursing.

Read first and second time and passed on file.

By committee on appropriations, Senate File No. 522, a bill for an act to amend Section twenty-six hundred twenty-seven-c (2627-c), Supplement to the Code, 1913, for the purpose of extending the duties of the Superintendent of Public Instruction, relating to the furnishing of information relative to regulating teaching and vacancies in teachers' positions, and prescribing the manner of performing the same.

Read first and second time and passed on file.

By committee on appropriations, Senate File No. 523, a bill for an act to amend the law relating to the Iowa State Dairy Association; the Iowa Beef Cattle Producers' Association and the Iowa Corn and Small Grain Growers' Association, as the same appears in chapter thirteen-a (13-a) title twelve (XII) supplemental supplement to the code, 1915, and in chapter one hundred eighty-seven (187), of the acts of the Thirty-seventh General Assembly, and to make an appropriation for said associations.

Read first and second time and passed on file.

By committee on printing, Senate File No. 524, a bill for an act to amend Senate File two hundred and ten (210) as enacted by the thirty-eighth (38) General Assembly and approved March 14, 1919, relating to a codification of the laws and the printing and publishing of the code and the reports of the Code Commission.

Read first and second time and passed on file.

Senate resumed consideration of Senate File No. 493.

Senator Evans moved that Senate File No. 493 be referred to the committee on retrenchment and reform with instruction to investigate the matters involved in said Senate File and to report

to the next regular session of the general assembly such recommendations, if any, that they shall deem advisable, relative to the board of parole.

Senator Price moved to amend the motion of Senator Evans by striking out the words "committee on reterenchment and reform" and substituting therefor "the joint judiciary committee" and by adding thereto "and that said committee report not later than noon of Tuesday of next week".

Senator Foster moved as a substitute for the motion of Senator Evans and also the substitute by Senator Price, that all in said bill following the enacting clause be stricken.

The motion prevailed.

#### MOTION TO RECONSIDER CALLED UP.

Senator Parker called up the motion to reconsider the vote by which Senate File No. 238 passed the Senate and also the vote by which the bill passed to its third reading.

The motion prevailed.

Senator Parker offered the following amendment and moved its adoption:

Amend Senate File No. 238 as follows: by substituting the word "sixty" for "ninety" in lines 4, 6, 9, 11, 13, 16, 18 and 20 of Section 1 and in line 5 of Section 2.

The amendment was adopted.

Senator Parker 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 vote was:

Ayes, 43.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Brookhart  
Broxam  
Buser  
Byington  
Cessna

Coburn  
Evans  
Fellows  
Foster  
Fradley  
Greenell  
Hale  
Haskell  
Holdoegel  
Horchem

Kimball  
Kimberly  
Kingland  
LeCompte  
Meredith  
Mitchell  
Nelson  
Newberry  
Parker  
Price

Proudfoot	Scott	Stoddard
Rainbow	Shane	Taylor
Ratcliff	Smith	Van Alstine
Reed	Stephenson	Whitmore
Rule		

Nays, none.

Absent or not voting, 7.

Edwards	Schaffter	White
Foskett	Thompson	Wilson
Pitt		

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

By unanimous consent the word "ninety" was changed to "sixty" in the last line of the title, and the title as amended was agreed to.

Senator Schaffter asked and was granted leave of absence for a part of the afternoon on account of duties as chairman of committee on enrolled bills.

### THIRD READING OF BILLS.

On motion of Senator Frailey, Senate File No. 497, a bill for an act relating to fraternal beneficiary societies, and providing a method whereby such fraternal beneficiary societies may be re-incorporated as a legal reserve level premium life insurance company, a committee bill, was taken up and considered.

Senator Frailey 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 vote was:

Ayes, 33.

Adams	Greenell	Proudfoot
Anderson	Haskell	Rainbow
Arney	Holdoegel	Ratcliff
Ball	Horchem	Reed
Brookhart	Kimball	Shane
Byington	Kimberly	Smith
Evans	Kingland	Stephenson
Fellows	Meredith	Stoddard
Foskett	Mitchell	Thompson
Foster	Nelson	White
Fralley	Parker	Whitmore

Nays, 3.

Buser

Coburn

Rule

Absent or not voting, 14.

Balkema  
Broxam  
Cessna  
Edwards  
Hale

LeCompte  
Newberry  
Pitt  
Price  
Schaffter

Scott  
Taylor  
Van Alstine  
Wilson

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 Greenell, House File No. 253, a bill for an act to amend section twenty-five hundred twenty-seven-a (2527-a) and section twenty-five hundred twenty-seven-c (2527-c) of the Supplement to the Code, 1913, relating to hotel inspection, with report of committee recommending passage was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 47.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Brookhart  
Broxam  
Buser  
Byington  
Cessna  
Coburn  
Edwards  
Evans  
Fellows  
Foskett  
Foster

Fralley  
Greenell  
Hale  
Haskell  
Holdoegel  
Horchem  
Kimball  
Kimberly  
Kingland  
Meredith  
Mitchell  
Nelson  
Newberry  
Parker  
Pitt  
Price

Proudfoot  
Rainbow  
Ratcliff  
Reed  
Rule  
Scott  
Shane  
Smith  
Stephenson  
Stoddard  
Taylor  
Thompson  
Van Alstine  
White  
Whitmore

Nays, none.

Absent or not voting, 3.

LeCompte

Schaffter

Wilson

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 Whitmore, Senate File No. 503, a bill for an act to legalize certain warrants issued by the Board of Supervisors of Wapello County, Iowa, a committee bill, was taken up and considered.

Senator Whitmore 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 vote was:

Ayes, 43.

Adams	Foster	Parker
Anderson	Frailey	Pitt
Arney	Greenell	Proudfoot
Balkema	Hale	Rainbow
Ball	Haskell	Ratcliff
Brookhart	Holdoegel	Reed
Broxam	Horchem	Rule
Buser	Kimball	Scott
Byington	Kimberly	Smith
Cessna	Kingland	Stephenson
Coburn	Meredith	Stoddard
Edwards	Mitchell	Taylor
Evans	Nelson	Van Alstine
Fellows	Newberry	Whitmore
Foskett		

Nays, none.

Absent or not voting, 7.

LeCompte	Shane	White
Price	Thompson	Wilson
Schaffter		

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

#### BILLS SIGNED BY PRESIDENT PRO TEM.

The president pro tem announced that as president pro tem of the Senate in the presence of the Senate he had signed Senate Files Nos. 442, 127 and 227.

#### SENATE FILE NO. 489 RECALLED FROM HOUSE.

By unanimous consent, on request of Senator Frailey, the House was requested to return Senate File No. 489.



## LEAVE OF ABSENCE.

On request of Senator Hale, leave of absence was granted Senator Wilson for the rest of the day.

Senator Scott was called to the chair at 2:55 p. m.

## THIRD READING OF BILLS.

On motion of Senator Foskett, Senate File No. 500, a bill for an act to repeal section two thousand five hundred seventy-five (2575) of the code, and to enact a substitute therefor relating to the annual appropriation for the state board of health, a committee bill, was taken up and considered.

Senator Foskett 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 vote was:

Ayes, 42.

Adams	Fralley	Pitt
Anderson	Greenell	Proudfoot
Arney	Hale	Rainbow
Balkema	Haskell	Ratcliff
Ball	Holdoegel	Reed
Brookhart	Horchem	Rule
Buser	Kimball	Scott
Byington	Kimberly	Smith
Coburn	Kingland	Stephenson
Edwards	LeCompte	Stoddard
Evans	Mitchell	Taylor
Fellows	Nelson	Van Alstine
Foskett	Newberry	White
Poster	Parker	Whitmore

Nays, none.

Absent or not voting, 8.

Broxam	Price	Thompson
Cessna	Schaffter	Wilson
Meredith	Shane	

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 Horchem, Senate File No. 510, a bill for an act to encourage boards to provide the school children of their

respective districts with agricultural training work and recreation in the manner contemplated by Chapter 14-E, Title XIII, Supplemental Supplement to the Code, 1915, providing state aid to all such school districts, fixing the terms and conditions under which such state aid shall be granted, and appropriating the sum of two thousand dollars (\$2,000.00) to carry out the purpose of this act, a committee bill substituted for Senate File No. 315, was taken up and considered.

On motion of Senator Kingland further action was deferred and the bill held its place on the calendar.

On motion of Senator Horchem, Senate File No. 470, a bill for an act to promote the child life of urban communities by providing, suitable outdoor diversion, physical and moral training, wholesome and productive employment of a voluntary character; empowering the Board of Directors of any public school of any city, town or village in the State of Iowa to plan and provide for such diversion, training and employment, and authorizing such board to use a portion of the school fund under its control in financing any such plan so proposed, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Horchem moved that the rules be suspended, the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 32.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Ball	Haskell	Reed
Brookhart	Horchem	Rule
Broxam	Kimball	Scott
Byington	Kimberly	Stoddard
Edwards	LeCompte	Taylor
Evans	Newberry	Van Alstine
Fellows	Parker	White
Foskett	Price	Whitmore
Frailey	Proudfoot	

Nays, 6.

Buser	Kingland	Pitt
Coburn	Nelson	Stephenson

Absent or not voting, 12.

Arney	Holdoegel	Shane
Balkema	Meredith	Smith
Cessna	Mitchell	Thompson
Foster	Schaffter	Wilson

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. 102, a bill for an act making it a misdemeanor to display, carry or exhibit a red flag with the intent to advocate, encourage or incite anarchy or treason, and providing a penalty therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

President pro tem Arney resumed the chair at 3:20.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 45.

Anderson	Greenell	Proudfoot
Areny	Hale	Rainbow
Balkema	Haskell	Ratcliff
Ball	Holdoegel	Reed
Brookhart	Horchem	Rule
Broxam	Kimball	Schaffter
Buser	Kimberly	Scott
Byington	Kingland	Shane
Cessna	LeCompte	Smith
Coburn	Mitchell	Stephenson
Edwards	Nelson	Stoddard
Evans	Newberry	Taylor
Fellows	Parker	Thompson
Poskett	Pitt	White
Fralley	Price	Whitmore

Nays, none.

Absent or not voting, 5.

Adams	Meredith	Wilson
Foster	Van Alstine	

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

## MOTION TO RECONSIDER TABLED.

Senator Frailey moved that the vote by which the committee report was adopted, indefinitely postponing Senate File No. 280, be reconsidered and that the motion to reconsider be laid on the table.

Senator Price raised the point of order that the motion was not debatable and raised the question as to whether Senator Frailey voted on the prevailing side and could therefore file to reconsider.

Senator Frailey stated that he did vote on the prevailing side.

Senator Holdoegel asked for a division of the motion.

Senator Frailey raised the point of order that the motion could not be divided.

The point was held not well taken and that the motion could be divided.

Senator Kimball raised the point of order that only one motion was really before the Senate being the motion to lay on the table.

Senator Holdoegel withdrew his motion for a division.

Senator Holdoegel invoked rule 8.

On the question, "Shall the motion lie on the table?" the vote was:

Ayes, 25.

Adams	Greenell	Rainbow
Ball	Hale	Ratcliff
Brookhart	Haskell	Rule
Broxam	Horchem	Schaffter
Buser	Kimball	Scott
Byington	Kimberly	Stephenson
Coburn	Pitt	Thompson
Fellows	Proudfoot	Van Alstine
Frailey		

Nays, 17.

Anderson	Kingland	Smith
Arney	Nelson	Stoddard
Balkema	Newberry	Taylor
Coburn	Parker	White
Foskett	Reed	Whitmore
Holdoegel	Shane	

Absent or not voting, 8.

Cessna  
Evans  
Foster

LeCompte  
Meredith  
Mitchell

Price  
Wilson

The motion prevailed.

#### SPECIAL ORDER.

On motion of Senator Van Alstine, House File No. 225 was made a special order for Tuesday, April 8th, at 10:30 a. m.

#### MOTION TO RECONSIDER.

I move to reconsider the vote by which Senate File No. 262 failed to pass the Senate.

W. W. ANDERSON.

#### SENATE FILES WITHDRAWN.

By unanimous consent, Senator Proudfoot withdrew Senate Files Nos. 377 and 360 from further consideration.

By unanimous consent, Senator Balkema withdrew Senate File No. 423 from further consideration.

By unanimous consent, Senator Frailey withdrew Senate File No. 422 from further consideration.

By unanimous consent, Senator Reed withdrew Senate File No. 211 from further consideration.

By unanimous consent, Senator Thompson withdrew Senate File No. 488 from further consideration.

By unanimous consent, Senator Schaffter withdrew Senate File No. 289 from further consideration.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 the following bills:

House File No. 201, a bill for an act providing a penalty for the willful destruction of food products.

Also:

House File No. 213, a bill for an act to amend section nine hundred forty-five (945) code of 1897, relative to the compensation of mayor.

Also:

House File No. 215, a bill for an act authorizing counties, cities and towns to erect and equip, or purchase and equip, soldiers', sailors' and marines' memorial buildings, to purchase or condemn necessary grounds therefor, and to issue bonds therefor, and to levy a special tax for the purpose of liquidating said bonds, and for the maintenance of such buildings, in case of municipalities, supplemental to chapter four (4), title five (5), of the code.

Also:

House File No. 214, a bill for an act to amend section nine hundred forty-three (943) code of 1897, relative to compensation of alderman.

Also:

House File No. 361, a bill for an act to amend section twenty-five hundred eighty-nine-b (2589-b), supplement to the code, 1913, relating to the fee to be paid by the holder of a foreign certificate of registration as a pharmacist when issued a certificate in this state.

Also:

House File No. 453, a bill for an act to legalize the acts and proceedings of the board of supervisors and officers of the county of Palo Alto, state of Iowa, in relation to drainage district number ninety-two (92), within said county.

Also:

House File No. 9, a bill for an act granting additional powers to all cities including special charter cities and cities under commission plan of government, having a population of \$5,000 or over, pertaining to levying of taxes for park, art and memorial purposes.

Also:

House File No. 29, a bill for an act to repeal the law as it appears in sections sixteen hundred fifty-eight (1658) and sixteen hundred fifty-nine (1659), supplement to the code, 1913, and section sixteen hundred sixty-one-a (1661-a), supplemental supplement to the code, 1915, and to enact a substitute therefor, relating to state aid granted county and district fairs or agricultural societies.

Also:

House File No. 190, a bill for an act to amend section two thousand one hundred fifty-seven-g (2157-g) supplement to the code, 1913, relating to persons entitled to transportation on common carriers.

Also:

House File No. 249, a bill for an act to amend section fifty-six hundred twenty-six (5626), supplement to the code, 1913, relating to pardons and remission of fines and forfeitures by the governor.

Also:

House File No. 391, a bill for an act to legalize certain warrants of the city of Perry, Iowa.

Also:

House File No. 318, a bill for an act to amend sections twenty-seven hundred twenty-seven-a seventy-six (2727-a76) and twenty-seven hundred twenty-seven-a eighty-two (2727-a82), and to repeal section twenty-seven hundred twenty-seven-a eighty-three (2727-a83) of chapter eleven-c (11-C), title thirteen (XIII), supplement to the code, 1913, relative to the requirements of patients for admission to the tuberculosis sanatorium at Oakdale, Iowa.

Also:

House File No. 468, a bill for an act to legalize action of the board of supervisors of Louisa county, Iowa, in purchasing pumping machinery and equipment in levee district number eight (8) and levee district number eleven (11) in said county, and to legalize the levy of taxes therein, and the issuance of bonds.

Also:

House File No. 470, a bill for an act to amend the law as it appears in section one thousand seventy-six of chapter two, of the supplemental supplement to the code, 1915, by providing for the consolidation of voting precincts into registration districts in all cities in which registration is required, including cities under special charter, at any general, city or special election and providing a method of such consolidation.

Also:

House File No. 471, a bill for an act legalizing certain acknowledgments taken in countries other than the United States.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

## BILLS SENT TO THE GOVERNOR. •

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

**MR. PRESIDENT**—Your committee on enrolled bills respectfully report that they have on this 4th day of April, 1919, sent to the governor for his approval, Senate File No. 442, a bill for an act to legalize the plat and dedication of the incorporated town of Long Grove, Scott County, Iowa.

Also:

Senate File No. 127, a bill for an act providing for a transcript of any conveyance executed by any executor, administrator, guardian or trustee, which has been recorded in the office of the clerk of the District or Circuit Courts of the State of Iowa, and for filing and recording same in the office of the county recorder.

Also:

Senate File No. 227, a bill for an act to establish a home for dependent, neglected, delinquent or destitute children, residents of Iowa, as defined by the laws of the State of Iowa, to secure necessary grounds, site, buildings and equipment therefor, conferring full power to manage, control and govern the same upon the Board of Control of State Institutions, and to make necessary appropriations therefor.

EUGENE SCHAFFTER, *Chairman*.

Adopted.

## MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

Senate File No. 115, a bill for an act to repeal the law as it appears in section fifty-seven hundred sixteen (5716) Supplemental Supplement to the Code, 1915, and to enact a substitute therefor providing for the compensation and allowances of officers and employees of the reformatory at Anamosa, Iowa, and the penitentiary at Fort Madison, Iowa.

W. C. RAMSAY, *Chief Clerk*.

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:



Senate File No. 8, a bill for an act to amend Section fifty seven hundred eighteen-a-twenty (5718-a-20), Supplement to the Code, 1913, relating to the discharge of paroled prisoners.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 392, a bill for an act to amend section forty-nine hundred thirteen-a (4913-a) of the supplement to the code, 1913, relating to the crime of bringing to state institutions or inmates drugs, liquors, weapons, explosives or articles aiding escape.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 410, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants of the Town of Panora, in Guthrie County, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 repeal section 4960 and section 4961 of the Code relating to the sale of or gift of spirituous or other liquors or articles of merchandise at camp meetings and other places of religious worship.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 402, a bill for an act to punish the making of any false entries upon the books of a corporation or other employer by any officer, agent or employe of such corporation or employer.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 420, a bill for an act to amend Chapter four hundred and one (401), of the laws of the Thirty-Seventh General Assembly and relating to filling vacancies in the office of Senator in the Congress of the United States.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 457, a bill for an act to legalize the action and acts of the County Superintendent of Floyd County, Iowa, and of the Board of Directors and officers of the School Township of Union, in the County of Floyd, State of Iowa, preliminary to, and in connection with, a special election held on the 14th day of March, 1919, whereat there was submitted to the voters residing in or upon Sections Seven (7), Eight (8), Nine (9), Ten (10), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), Thirty (30), Thirty-one (31), Thirty-two (32), Thirty-three (33), and Thirty-four (34), all in Township ninety-four North, Range seventeen West of the Fifth Principal Meridian, within Union Township, Floyd County, Iowa, the question of the establishment of a consolidated independent school district comprising the said Sections of land, to be known as Consolidated Independent School District of Marble Rock, in the County of Floyd, State of Iowa; and to legalize the said special election and all acts and proceedings leading up to and resulting in, the formation and establishment of the said consolidated independent school district, and to validate and establish the formation of the said consolidated school district.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 amend the law as it appears in Section Five Hundred Eighty Six (586) Supplemental Supplement to the Code, 1915, relating to the powers and duties of Township Trustees with reference to cemeteries.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 267, a bill for an act to amend Chapter two hundred sixty-seven (267) of the laws of the 37th General Assembly, relating to the selection of grand and petit juries.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 159, a bill for an act relating to Workmen's Compensation Act.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 twenty-eight hundred sixteen (2816), supplement to the code, 1913, and enact a substitute in lieu thereof, relating to the reversion of school sites.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 342, a bill for an act to amend section twenty-seven hundred ninety-four-g (2794-g) Supplemental Supplement to the Code, 1915, relating to annual appropriation for state aid to consolidated schools.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 coordinate the work of the state of Iowa and of the government of the United States relative to road improvements, to provide and to define a system of primary and secondary roads in each county and to provide for the extension of such system, to provide for the improvement and maintenance of such roads and to prescribe the procedure therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

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 relating to Chief Clerk and Secretary of Senate remaining to complete work after close of session.

W. C. RAMSAY, *Chief Clerk.*

Also:

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 of the 38th General Assembly.

W. C. RAMSAY, *Chief Clerk.*

Also:

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 printing pamphlet of the State Housing law for distribution to boards of health.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House returns herewith as requested, Senate File No. 489.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 431, a bill for an act to repeal section twenty-eight hundred sixteen (2816), supplement to the code, 1913, and to enact a substitute in lieu thereof, relating to the reversion of school sites.

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

House File No. 342, a bill for an act to amend section twenty-seven hundred ninety-four-g (2794-g) Supplemental Supplement to the Code, 1915, relating to annual appropriation for state aid to consolidated schools.

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

House File No. 548, a bill for an act to coordinate the work of the state of Iowa and the government of the United States relative to road improvements, to provide and to define a system of primary and secondary roads in each county and to provide for the extension of such primary system, to provide for the improvement and maintenance of such roads and to prescribe the procedure therefor, to extend certain options to each county in the improvement of its roads, to provide the funds to pay the cost of such improvements and to regulate the division, accounting and

disbursement of such funds, to authorize, in certain cases, the levy of limited special assessments upon real estate which abuts upon or is adjacent to such road improvements, in order to defray a part of the cost thereof and to regulate and prescribe the procedure in consummating such assessments and the collection and application thereof, to authorize and regulate the anticipation by each county of the funds (including special assessments) provided by this act for road improvements, to authorize the submission to the voters of each county of the question of issuing the bonds of the county in order to secure immediate funds to carry on such improvements, and of levying an annual tax on all the property of the county to pay the annual interest on said bonds and to pay any deficiency in the principal of such bonds which cannot be met by other funds provided by this act, to authorize the submission to the voters of the county of the question of validating specified contracts for the improvement of highways and the question of issuing the bonds of the county in order to carry out such contracts, and of levying an annual tax to pay the annual interest on such bonds and to pay any deficiency in the principal of such bonds which cannot be met by other funds provided by this act, to provide the procedure for submitting all such questions to the voters and for the determination of the result of such submission, to provide the procedure for the levy of taxes and for the form, conditions, issuance, application, disbursement, and payment of authorized bonds and the interest thereon, to limit the amount of bonds which may be issued under any vote of authorization, to empower township trustees to levy an additional tax of two mills for township roads, to provide for the purchase, lease, receipt and distribution of equipment in aid of the improvements provided by this act and to authorize the payment of the cost of such equipment, to prohibit and punish violations of this act, to repeal section one thousand five hundred seventy-one-m thirty-two (1571-m32), supplemental supplement to the code, 1915, and to enact a substitute therefor, to amend paragraph five (5) of section one thousand three hundred three (1303) supplemental supplement to the code, 1915, to repeal sections fifteen hundred twenty-seven-f (1527-f) to section fifteen hundred twenty-seven-r (1527-r), supplement to the code, 1913, and all existing acts and parts of acts in conflict with this act, to provide for the printing and distribution of this act, and to provide the time when the same shall take effect.

Read first and second time and ordered passed on file.

MOTION TO RECONSIDER.

I hereby state that I was present and voted for the motion to adopt the committee report recommending indefinite postponement of House File No. 510, and I hereby move to reconsider the vote by which said House File was indefinitely postponed.

T. A. KINGLAND.

MOTION TO RECONSIDER CALLED UP.

Senator Scott called up the motion to reconsider the vote by which the committee report was adopted indefinitely postponing Senate File No. 179.

The motion to reconsider prevailed.

By unanimous consent, Senator Scott withdrew Senate File No. 179 from further consideration.

MOTION TO RECONSIDER CALLED UP.

Senator Kimball called up the motion filed to reconsider the vote by which the report of the committee was adopted indefinitely postponing Senate File No. 424.

The motion prevailed.

On motion of Senator Kimball, the bill was referred to committee on judiciary No. 1.

AMENDMENTS FILED.

Amend Senate File No. 162 as follows:

By striking from the title (following the word "in" where it occurs in the first line) the words and figures as follows:

"Section twenty nine hundred five (2905)" and in lieu thereof insert the following "Chapter 154 of the acts of the 37th General Assembly of Iowa".

Also by striking out all of Section six and inserting in lieu thereof the following:

"A copy of such original instrument, duly certified by the county recorder in whose office the same shall have been filed, shall be received in evidence in all suits or actions to which it may be applicable: and if in any suit or action, the due execution of such instrument or its genuineness be questioned in such manner as to render the production of the

original instrument desirable or necessary, then the same may be produced by the recorder of the county in obedience to a proper judicial process or court order."

Also by inserting as Section 12, the following:

"SEC. 12. That chapter 154 of the Acts of the 37th General Assembly be amended by inserting in the tenth line thereof after the word "recorded" the words "or filed and deposited".

Also by renumbering Section 12 to appear as Section 13.

H. S. VAN ALSTINE.

Senator Rule moved that C. H. McNider, chairman of the Victory Loan committee of the state, be invited to address the Senate for five minutes.

The motion prevailed.

Senator Rule was appointed to escort Mr. McNider to the president's desk and introduce him to the Senate.

Mr. McNider briefly addressed the Senate.

On motion of Senator Coburn, Senate adjourned until 9:00 a. m. Saturday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 5, 1919.

Senate met in regular session, president pro tem Wallace H. Arney presiding.

Prayer was offered by Rev. James W. Campbell, president of Simpson College, Indianola.

## LEAVE OF ABSENCE.

On request of Senator Reed, leave of absence was granted Senator Brookhart for the day.

On request of Senator Proudfoot, leave of absence was granted Senator Byington for the day.

On request of Senator Wilson, leave of absence was granted Senator Price for the day.

On request of Senator Cessna, leave of absence was granted Senator Meredith for the day.

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

On request of Senator Evans, leave of absence was granted Senator Kimberly for the day.

## REPORTS OF COMMITTEES.

Senator Coburn, from the committee on agriculture, submitted the following report:

MR. PRESIDENT—Your committee on agriculture, to whom was referred House File No. 482, a bill for an act to amend the law as it appears in Section Four hundred fifty-eight-c (458-c) Supplement to the Code, 1913, relating to claims for damages for killing or injury of domestic animals, 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:



Amend by striking out in line five and six of Section 1 the following words: "a member of the board of supervisors and", and inserting in lieu thereof the words "a member of the Township Board of Trustees in the county wherein the claim is filed and".

GEO. F. COBURN, *Chairman.*

Ordered passed on file.

Senator Rule, from the committee on military affairs, submitted the following report:

MR. PRESIDENT—Your committee on military affairs, to whom was referred Senate File No. 386, a bill for an act to amend Section One (1) Chapter One Hundred Sixty Four (164) Acts of the Thirty Seventh General Assembly, relating to pensions of the survivors of the Northern Border Brigade, beg leave to report they have had the same under consideration and recommend the same do pass.

A. L. RULE, *Chairman.*

Ordered passed on file.

Also:

Your committee on military affairs, to whom was referred House File No. 105, a bill for an act to amend the Acts of the Thirty Seventh General Assembly, Chapter One Hundred Sixty Four, pertaining to pensions for the survivors of the Northern Border Brigade, 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:

Amend by striking out all after the word "hereby" in the 3rd (3) line of said bill and by inserting in lieu thereof the word "repealed".

A. L. RULE, *Chairman.*

Ordered passed on file.

Senator Hale, from the committee on board of control, submitted the following report:

MR. PRESIDENT—Your committee on board of control, to whom was referred Senate File No. 467, a bill for an act to authorize and empower the board of control to erect, maintain and establish Portland Cement plants, to condemn and take over for and in the name of the state any lands, buildings or existing cement plants, stating the purpose for which the products of said plant may be used, beg leave to report they have had the same under consideration and recommend the same be reported back without recommendation.

J. K. HALE, *Chairman.*

Ordered passed on file.

Also:

Your committee on board of control, to whom was referred House File No. 416, a bill for an act to amend Section 2297, Code of 1897, providing for liability of estates for the keeping of insane patients at private hospitals, beg leave to report they have had the same under consideration and recommend the same do pass.

J. K. HALE, *Chairman.*

Ordered passed on file.

Senator Haskell, from the committee on railroads, submitted the following report:

MR. PRESIDENT—Your committee on railroads, to whom was referred House File No. 544, a bill for an act to require every railroad, whether operated by steam or electricity, to acquire rights of way for, construct, connect, maintain, and operate spur tracks, and providing for payment thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

W. G. HASKELL, *Chairman.*

Ordered passed on file.

Senator Parker, 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. 418, a bill for an act to amend Section six hundred eighty-three (683), Supplement to the Code, 1913, and Section six hundred eighty-four (684) of the Code, providing for passage or adoption of ordinances, resolutions and orders by town councils, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 403, a bill for an act to amend the law as it appears in Section 694-C47 of the Supplemental Supplement to the Code, 1915, as amended by Chapter 152 of the Acts of the 37th General Assembly, relating to the compensation of Judges, Clerks and Bailiffs of Municipal Courts, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 251, a bill for an act to amend Title five (V), Chapter nine (9), of the Code, relating to park commissioners and board of public works, by repealing Section eight hundred fifty-c (850-c) and eight hundred fifty-f (850-f), Supplement to the Code, 1913, and enacting substitutes therefor, providing for additional funds for parks, with provisions for borrowing money and issuing bonds therefor, and for acquisitions of real estate and the permanent improvement thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also;

Your committee on cities and towns, to whom was referred House File No. 494, a bill for an act to amend Chapter thirteen-b (13-b), Title V, Supplement to the Code, 1913, relating to pensions for disabled and retired policemen, 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:

Amend by inserting the words and figures "Section nine hundred thirty-two-S (932-S) before the word "when" in the fourth (4th) line of the bill, and by inserting before the word "chapter" in the ninth (9th) line of Section one (1) the word "this", and by striking out the words and figures "thirteen-b (13-b), Title V, Supplement to the Code, 1913, and acts amendatory thereof" in the ninth (9th) line of Section one (1).

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

#### INTRODUCTION OF BILLS.

By committee on board of control, Senate File No. 525, a bill for an act to better provide for the care and detention of feeble minded persons.

Read first and second time and passed on file.

By committee on railroads, Senate File No. 526, a bill for an act to amend Section Twenty-one Hundred Thirteen (2113) of the Supplement to the Code, 1913, relating to the powers and duties of the Board of Railroad Commissioners and granting to such Board of Railroad Commissioners power to fix and regulate the rates of fare and service of street railway companies.

Read first and second time and passed on file.

## THIRD READING OF BILLS.

On motion of Senator Whitmore, House File No. 452, a bill for an act to repeal section eight hundred fourteen (814) of the supplement to the code, 1913, and enacting a substitute therefor, with report of committee recommending passage, was taken up; considered, and the report of the committee adopted.

The bill was read for information.

Senator Whitmore moved that he rules be suspended, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 26.

Adams	Fellows	Reed
Anderson	Greenell	Rule
Arney	Hale	Schaffter
Bail	Haskell	Scott
Buser	Holdoegel	Stephenson
Cessna	Kingland	Taylor
Coburn	Mitchell	White
Edwards	Rainbow	Whitmore
Evans		

Nays, none.

Absent or not voting, 24.

Balkema	Kimball	Proudfoot
Brookhart	Kimbery	Ratcliff
Broxam	LeCompte	Shane
Byington	Meredith	Smith
Foskett	Nelson	Stoddard
Foster	Newberry	Thompson
Frailley	Pitt	Van Alstine
Horchem	Price	Wilson

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 Evans, Senate File No. 439, a bill for an act repealing Section seventy (70) and Section seventy one (71), Supplement to the Code, 1913, changing the compilation, publication and distribution of the Iowa Official Register from the office of the Secretary of State to that of the document editor and amending Section one hundred forty-four-j (144-j), Supplemental Supplement to the Code, 1915, all relating to the compilation,

publication and distribution of the Iowa Official Register, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Evans 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 vote was:

Ayes, 34.

Anderson	Hale	Reed
Arney	Haskell	Rule
Ball	Hodoegel	Schaffter
Buser	Horchem	Scott
Cessna	Kimball	Stephenson
Coburn	Kingland	Stoddard
Edwards	Nelson	Taylor
Evans	Newberry	Thompson
Fellows	Parker	White
Foskett	Rainbow	Whitmore
Frailey	Ratchiff	Wilson
Greenell		

Nays, none.

Absent or not voting, 16.

Adams	Kimberly	Price
Balkema	LeCompte	Proudfoot
Brookhart	Meredith	Shane
Broxam	Mitchell	Smith
Byington	Pitt	Van Alstine
Foster		

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 Paker, Senate File No. 513, a bill for an act to amend the law as it appears in section eight hundred twenty-three (823) of the Supplement to the Code, 1913, relating to the publication and posting of notices of assessment, a committee bill, was taken up and considered.

Senator Parker 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 vote was:

## Ayes, 34.

Adams	Hale	Ratcliff
Anderson	Haskell	Reed
Arney	Holdoegel	Rule
Ball	Horchem	Schaffter
Buser	Kimball	Scott
Cessna	Kingland	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Nelson	Thompson
Evans	Newberry	White
Fellows	Parker	Whitmore
Frailey	Rainbow	Wilson
Greenell		

## Nays, none.

## Absent or not voting, 16.

Balkema	Kimberly	Proudfoot
Brookhart	LeCompte	Shane
Broxam	Meredith	Smith
Byington	Pitt	Taylor
Foskett	Price	Van Alstine
Foster		

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 Parker, Senate File No. 514, a bill for an act to amend the law as it appears in Section eight hundred thirteen (813) of the Supplemental Supplement to the Code, 1913, relating to the giving of notices for bids, a committee bill, was taken up and considered.

Senator Parker 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 vote was:

## Ayes, 35.

Adams	Hale	Reed
Anderson	Haskell	Rule
Arney	Holdoegel	Scott
Ball	Horchem	Shane
Buser	Kimball	Stephenson
Coburn	Kingland	Stoddard
Edwards	Mitchell	Taylor
Evans	Nelson	Thompson
Fellows	Newberry	White
Foskett	Parker	Whitmore
Frailey	Rainbow	Wilson
Greenell	Ratcliff	

Nays, none.

Absent or not voting, 15.

Balkema	Foster	Price
Brookhart	Kimberly	Proudfoot
Broxam	LeCompte	Schaffter
Byington	Meredith	Smith
Cessna	Pitt	Van Alstine

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 Parker, Senate File No. 515, a bill for an act to amend the law as it appears in Section eight hundred ten (810) of the Supplemental Supplement to the Code, 1915, relating to the publication and posting of notices of hearing on resolution of necessity, a committee bill, was taken up and considered.

Senator Parker 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 vote was:

Ayes, 34.

Adams	Haskell	Rule
Anderson	Holdoegel	Schaffter
Arney	Kimball	Scott
Ball	Kingland	Shane
Buser	Mitchell	Stephenson
Cessna	Nelson	Stoddard
Coburn	Newberry	Taylor
Edwards	Parker	Thompson
Evans	Rainbow	White
Fellows	Ratchiff	Whitmores
Greenell	Reed	Wilson
Hale		

Nays, none.

Absent or not voting, 16.

Balkema	Fralley	Pitt
Brookhart	Hale	Price
Broxam	Kimberly	Proudfoot
Byington	LeCompte	Smith
Cessna	Meredith	Van Alstine
Foster		

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 Rule, House File No. 206, a bill for an act to amend section twenty-six hundred thirty-four-b (2634-b), supplement to the code, 1913, relating to the appropriation for aid to normal training high schools, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out all after the enacting clause and inserting the following in lieu thereof:

SECTION 1. That Section twenty-six hundred, thirty-four-b8 (2634-b8). Supplement to the Code, 1913, be and the same is hereby amended by striking out all after the word "of" in line six (6) thereof and inserting in lieu thereof the words "one hundred fifty thousand dollars annually hereafter".

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 30.

Anderson	Haskell	Reed
Arney	Hodoegel	Rule
Ball	Horchem	Schaffter
Buser	Kimball	Shane
Coburn	Klingland	Stephenson
Edwards	Mitchell	Stoddard
Evans	Newberry	Thompson
Fellows	Parker	White
Foskett	Rainbow	Whitmore
Greenell	Ratcliff	Wilson

Nays, none.

Absent or not voting, 20.

Balkema	Hale	Price
Brookhart	Kimberly	Proudfoot
Broxam	LeCompte	Scott
Byington	Meredith	Smith
Cessna	Nelson	Taylor
Foster	Pitt	Van Alstine
Fralley		



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 Rule, House File No. 533, a bill for an act making an appropriation for the farmers' institute of Franklin County, Iowa, under the provisions of section sixteen hundred seventy-five (1675), supplement to the code of Iowa, 1907, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend the title by striking out the words and figures "of Iowa 1907" and inserting in lieu thereof a comma followed by the figures "1913".

Further amend the bill by striking out of line Six (6) thereof the words and figures "of Iowa 1907" and inserting in lieu thereof a comma followed by the figures "1913".

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Haskell	Reed
Arney	Holdoegel	Rule
Balkema	Horchem	Schaffter
Ball	Kimball	Scott
Cessna	Kingland	Shane
Coburn	Mitchell	Stephenson
Edwards	Nelson	Stoddard
Evans	Newberry	Taylor
Fellows	Parke-	Van Alstine
Foskett	Proudfoot	White
Fralley	Rainbow	Whitmore
Greenell	Ratcliff	Wilson
Hale		

Nays, none.

Absent or not voting, 13.

Adams	Foster	Pitt
Brookhart	Kimberly	Price
Broxam	LeCompte	Smith
Buser	Meredith	Thompson
Byington		

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. 300, a bill for an act to repeal the law as it appears in section twenty-seven hundred seventy-eight-b (2778-b), supplement to the Code, 1913, and to amend the law as it appears in section twenty-seven hundred seventy-eight-c (2778-c), supplement to the Code, 1913, and to repeal the law as it appears in section twenty-seven hundred seventy-eight-a (2778-a), supplement to the Code, 1913, relating to minimum salaries for teachers 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.

The following committee amendments were adopted:

Amend by striking out all of said bill after the enacting clause, and substituting the following in lieu thereof:

SECTION 1. That the law as it appears in section twenty-seven hundred seventy-eight-b (2778-b), Supplement to the Code, 1913, be and the same is hereby repealed, and that the law as it appears in section twenty-seven hundred seventy-eight-c (2778-c), Supplement to the Code, 1913, be and the same is hereby amended by inserting a period in the third line thereof after the word "fixed" and by striking from said section after the word "fixed" the following: "for the grade certificate held by such public school teachers," and that the law as it appears in section twenty-seven hundred and seventy-eight-a (2778-a), Supplement to the Code, 1913, is hereby repealed and the following enacted in lieu thereof:

All teachers in the public schools of this state, shall be paid for their services a minimum wage of not less than the amounts hereinafter set forth:

1. A teacher who has completed a four-year college course and received a degree from an approved college and who is the holder of a state certificate or a state diploma shall receive a minimum wage of one hundred dollars (\$100.00) per month until a successful teaching experience of two years in the public schools shall have been established. Thereafter, the minimum wage shall be one hundred and twenty dollars (\$120.00) per month.

2. A teacher who has completed a two-year course in education in a state normal school or other school whose diploma is recognized as an equivalent diploma by the state board of educational examiners and who shall be the holder of a state certificate, or who shall be the holder of state certificate issued upon examination, shall receive a minimum wage of eighty dollars (\$80.00) per month, until a successful teaching experience of two years in the public schools shall have been established. Thereafter, the minimum wage shall be one hundred dollars (\$100.00) per month.

3. A teacher who has completed a normal course in a normal training high school and who has had less than one year of successful teaching experience shall receive a minimum wage of sixty-five dollars (\$65.00) per month. A teacher who has completed a normal course in a normal training high school and who shall have had one year of successful teaching experience, and a teacher holding a first grade uniform county certificate, shall receive a minimum wage of seventy-five (\$75.00) per month until a successful experience of two years in the public schools shall have been established; thereafter, the minimum wage shall be eighty dollars (\$80.00) per month.

4. A teacher who is the holder of a second grade uniform county certificate shall receive a minimum wage of sixty dollars (\$60.00) per month until a successful experience of one year's duration in the public schools shall have been established. Thereafter, the minimum wage shall be sixty-five dollars (\$65.00) per month.

5. A teacher holding a third grade uniform county certificate shall receive a minimum wage of fifty dollars (\$50.00) per month.

Sec. 2. The holder of any certificate in order to become entitled to the increase in salary provided by this act because of successful teaching experience must file with the county superintendent his certificate, also proofs of one or two years of teaching experience as the law requires. If in the opinion of the county superintendent the proofs are satisfactory he shall endorse such findings on the back of said certificates and return the same to the holder thereof, and any certificate properly endorsed by the county superintendent shall be evidence of qualification for the increase of salary provided by this act for such teaching experience.

Senator Fellows 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 vote was:

Ayes, 37.

Anderson  
Arney  
Balkema  
Ball  
Cessna  
Coburn  
Edwards  
Evans  
Fellows  
Foskett  
Fralley  
Greenell  
Hale

Haskell  
Holdoegel  
Kimball  
Kingland  
Mitchell  
Nelson  
Newberry  
Parker  
Proudfoott  
Rainbow  
Ratcliff  
Reed

Rule  
Schaffter  
Scott  
Shane  
Stephenson  
Stoddard  
Taylor  
Thompson  
Van Alstine  
White  
Whitmore  
Wilson

Nays, none.

Absent or not voting, 13.

Adams  
Brookhart  
Broxam  
Buser  
Byington

Foster  
Horchem  
Kimberly  
LeCompte

Meredith  
Pitt  
Price  
Smith

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

#### REPORT ON COMMITTEE CLERK.

Des Moines, April 5, 1919.

MR. PRESIDENT—Your committee, to which was referred the matter of examining applicants for clerkships in the Senate begs leave to report that it has examined and found proficient, Mrs. K. M. Ogden, who has been assigned to Senator Cessna in place of Miss Hazel Coutts, resigned.

Your committee recommends that Mrs. Ogden be employed from and after this date.

EUGENE SCHAFFTER, *Chairman.*

Mrs. Ogden appeared before the bar of the Senate and was duly sworn.

#### BILLS SIGNED BY PRESIDENT PRO TEM.

President pro tem Arney announced that as president pro tem of the Senate in the presence of the Senate he had signed House Files Nos. 391, 249, 190, 29, 9, 453, 361, 214, 213, 215, 201, 318, 458, 470 and 471; also Senate File No. 296.

Senator Rule was called to the chair at 10:10 a. m.

#### MOTION TO RECONSIDER CALLED UP.

Senator Kingland called up the motion filed to reconsider the vote by which the committee report was adopted indefinitely postponing House File No. 510.

On motion of Senator Whitmore, further action was deferred.

#### THIRD READING OF BILLS.

On motion of Senator Wilson, House File No. 307, a bill for an act relating to the release of liens on personal property, and providing a method of releasing such liens, with report of committee recommending indefinite postponement having been adopted but afterwards reconsidered, was taken up and considered.

Senator Whitmore offered the following amendment and moved its adoption:

"An action upon such bond shall be brought in the county where the principal on the bond resides; but where the aforesaid principal is a non-resident of the state, the action shall be brought in the county where the bond is filed."

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption:

"Strike out Section 2, the publication clause."

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Adams	Holdoegel	Itule
Anderson	Horchem	Schaffter
Arney	Kingland	Scott
Balkema	Mitchell	Shane
Ball	Nelson	Smith
Buser	Newberry	Stephenson
Cessna	Parker	Stoddard
Coburn	Pitt	Thompson
Edwards	Proudfoot	Van Alstine
Evans	Rainbow	White
Greenell	Ratcliff	Whitmore
Hale	Reed	Wilson
Haskell		

Nays, none.

Absent or not voting, 13.

Brookhart	Foster	LeCompte
Broxam	Fralley	Meredith
Byington	Kimball	Price
Fellows	Kimberly	Taylor
Foskett		

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

Senator Wilson offered the following amendment to the title and moved its adoption:

Amend the title by striking the period at the end thereof and inserting in lieu thereof a comma and adding thereto the following: "and the jurisdiction in actions on the bond given to secure such release."

The amendment was adopted and the title as amended was agreed to.

President pro tem Arney resumed the chair at 10:55 a. m.

On motion of Senator Wilson, Senate File No. 502, a bill for an act to amend Section fourteen-hundred and forty-one (1441), Supplement to the Code, 1913, relating to notice of expiration of right of redemption from tax sale, a committee bill was taken up and considered.

Senator Wilson 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 vote was:

**Ayes, 31.**

Adams	Horchem	Schaffter
Anderson	Kimball	Scott
Arney	Nelson	Shane
Balkema	Newberry	Stephenson
Ball	Parker	Stoddard
Buser	Pitt	Thompson
Cessna	Rainbow	Van Alstine
Evans	Ratcliff	White
Fralley	Reed	Whitmore
Haskell	Rule	Wilson
Holdoegel		

**Nays, none.**

**Absent or not voting, 19.**

Brookhart	Foster	Meredith
Broxam	Greenell	Mitchell
Byington	Hall	Price
Coburn	Kimberly	Proudfoot
Edwards	Kingland	Smith
Fellows	LeCompte	Taylor
Foskett		

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

Senator Parker was called to the chair at 11:00 a. m.

On motion of Senator Arney, Senate File No. 516, a bill for an act to authorize the construction of a spur track by the state of

Iowa, to the Iowa Soldiers' Home at Marshalltown, Iowa, and to make an appropriation therefor, a committee bill, was taken up and considered.

The bill was read for information.

Senator Arney moved that the rules be suspended, the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

### Ayes, 35.

Adams	Haskell	Rule
Anderson	Holdoegel	Schaffter
Arney	Horchem	Scott
Balkema	Kimball	Shane
Ball	Kingland	Smith
Buser	Nelson	Stephenson
Cessna	Newberry	Stoddard
Coburn	Parke	Van Aistine
Edwards	Pitt	White
Evans	Rainbow	Whitmore
Fralley	Ratcliff	Wilson
Greenell	Reed	

### Nays, none.

### Absent or not voting, 15.

Brookhart	Foster	Mitchell
Broxam	Hale	Price
Byington	Kimberly	Proudfoot
Fellows	LeCompte	Taylor
Foskett	Meredith	Thompson

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

President pro tem Arney resumed the chair at 11:20 a. m.

On motion of Senator Balkema, House File No. 49, a bill for an act to repeal the law as it appears in section twenty three hundred forty-eight (2348), Supplement to the Code, 1913, and to enact a substitute for the law repealed, and to provide for a bounty for the destruction of wolves, lynx, and wild cats, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

Senator Balkema invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 16.

Adams	Holdoegel	Ratcliff
Arney	Horchem	Reed
Buser	Kingland	Scott
Cessna	Nelson	Smith
Coburn	Rainbow	Taylor
Edwards		

Nays, 17.

Anderson	Parker	Stoddard
Balkema	Pitt	Van Alstine
Ball	Rule	White
Evans	Schaffter	Whitmore
Greenell	Shane	Wilson
Kimball	Stephenson	

Absent or not voting, 17.

Brookhart	Fralley	Mitchell
Broxam	Hale	Newberry
Byington	Haskell	Price
Fellows	Kimberly	Proudfoot
Foskett	LeCompte	Thompson
Foster	Meredith	

So the bill, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

On motion of Senator Wilson, Senate File No. 498, a bill for an act to amend chapter ten (10), title three (3) of the code relating to attorneys and counselors and the practice of law and prescribing the duties of attorneys and counselors and making it unlawful for corporations to act as attorneys at law or to give legal advice and providing penalties for the violation of this act, a committee bill, was taken up and considered.

Senator Whitmore offered the following amendment and moved its adoption:

Amend by striking from section 2, line 69, and following, these words: "apply to a corporation lawfully engaged in examining and insuring of titles to real property, nor shall it"; so that same shall read, "This section shall not prohibit" etc.



The amendment was adopted.

Senator Wilson 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 vote was:

Ayes, 14.

Adams	Newberry	Schaffter
Buser	Parker	Scott
Frailey	Proudfoot	Shane
Hoidoegel	Ratcliff	Thompson
Kimball	Rule	

Nays, 15.

Anderson	Evans	Stoddard
Arney	Hale	Taylor
Balkema	Haskell	White
Ball	Nelson	Whitmore
Buser	Rainbow	Wilson

Absent or not voting, 21.

Brookhart	Foskett	Meredith
Broxam	Foster	Mitchell
Byington	Greenell	Pitt
Cessna	Horchem	Price
Coburn	Kimberly	Smith
Edwards	Kingland	Stephenson
Fellows	LeCompte	Van Alstine

So the bill, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

#### REPORT OF COMMITTEES.

Senator Anderson, from the committee on public buildings, submitted the following report:

MR. PRESIDENT—Your committee on public buildings, to whom was referred House File No. 283, a bill for an act relating to the establishment of a free public library and soldiers' memorial and providing that cities and towns having established a free public library may unite with the board of supervisors for the erection and maintenance of a soldiers' memorial and public library and providing for the appointment of trustees for such memorial and public library, and providing their powers and duties and authorizing the levy of taxes for the erection and maintenance

of such memorial and library, beg leave to report they have had the same under consideration and recommend the same do pass.

W. W. ANDERSON, *Chairman.*

Ordered passed on file.

Senator White, from the committee on motor vehicles, submitted the following report:

MR. PRESIDENT—Your committee on motor vehicles, to whom was referred Senate File No. 355, a bill for an act creating a board of examiners to examine and license automobile mechanics and repair men, prescribing its duties, provide for license to automobile mechanics and repair men to follow their vocation and providing punishment for violation thereof, beg leave to report they have had the same under consideration and recommend the same be reported back to the Senate without recommendation.

H. C. WHITE, *Chairman.*

Ordered passed on file.

Also:

Your committee on motor vehicles, to whom was referred Senate File No. 385, a bill for an act relating to motor vehicle dealers' number plates, the registration thereof and registration fee, beg leave to report they have had the same under consideration and recommend the same be referred to the joint committee on judiciary.

H. C. WHITE, *Chairman.*

On motion of Senator White, the report of the committee was adopted and the bill was referred to joint committee on judiciary.

Also:

Your committee on motor vehicles, to whom was referred Senate File No. 27, a bill for an act to amend Section 1571-m32 of the Supplemental Supplement to the code, 1915, and providing for the apportionment of the motor vehicle fund, beg leave to report they have had the same under consideration and recommend the same be referred to the joint committee on judiciary.

H. C. WHITE, *Chairman.*

On motion of Senator White, the report of the committee was adopted and the bill referred to joint committee on judiciary.

Also:

Your committee on motor vehicles, to whom was referred Senate File No. 39, a bill for an act to amend section fifteen hundred seventy one-M-

nineteen (1571-M-19) Supplement to the Code, 1913, relative to the care and prudence in driving to be exercised by drivers or operators of motor vehicles, beg leave to report they have had the same under consideration and recommend the same be referred to the joint committee on judiciary.

H. C. WHITE, *Chairman.*

On motion of Senator White, the report of the committee was adopted and the bill referred to joint committee on judiciary.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 119, a bill for an act to repeal section thirty-three hundred and seventy-six (3376), supplement to the code, 1913, and to enact a substitute therefor, relating to share not affected by will and election by a surviving spouse to take or to refuse to take under a decedent's will.

Also:

Senate File No. 54, a bill for an act to amend Chapter two hundred-sixty-seven (267) of the laws of the Thirty-seventh General Assembly, and relating to the compensation of jury commissioners and the auditing of the same by a judge of the district court.

Also:

Senate File No. 341, a bill for an act amending Section Fifteen hundred thirty-three (1533) Supplement to the Code, 1913, relating to the cutting of weeds along public highways over which township trustees and county boards have jurisdiction.

Also:

Senate File No. 118, a bill for an act to amend sections sixteen hundred fourteen-f (1614-f), sixteen hundred fourteen-g (1614-g), sixteen hundred fourteen-h (1614-h), and sixteen hundred fourteen-i (1614-i), of the supplement to the code, 1913, relating to annual reports by corporations, and making provision for forfeiture and cancellation of the corporate charter, and rights to do business in this State.

Also:

Senate File No. 296, a bill for an act to amend section twenty-seven hundred ninety-four-a (2794-a) of the supplemental supplement to the Code, 1915, as amended by chapter 432 of the Acts of the Thirty-seventh General Assembly, relating to consolidated school districts.

Also:

Senate File No. 302, a bill for an act to amend section two hundred thirty-five (235) of the code relating to special adjournment of the district court.

Also:

Senate File No. 79, a bill for an act to appropriate Twenty-five Thousand Dollars (\$25,000) as an additional amount to complete the Medical and Laboratory Building of the State Sanitorium for the Treatment of Tuberculosis at Oakdale and for equipment thereof, and also to appropriate the sum of Three Thousand Dollars (\$3,000) for the purchase of an X-ray machine for said institution.

Also:

Senate File No. 111, a bill for an act to amend Section two thousand and nine (2009) Supplement to the Code, 1913, relating to condemnation of land for state purposes.

Also:

Senate File No. 154, a bill for an act to provide training in teaching service for the Iowa State Teachers College, State University of Iowa and College of Agriculture and Mechanic Arts and to furnish instruction to pupils of school districts under contract between the Board of Directors and the State Board of Education.

Also:

Senate File No. 29, a bill for an act making appropriations for the erection, repair and improvement of buildings, for appurtenances and connections thereto, for furniture, fixtures furnishings and equipment, for the purchase of land, for the purchase of live stock, farm machinery and equipment, for establishing and maintaining industries, for the purchase of clothing, food, fuel and supplies, and for improvements, equipment and appliances needed in any or all of the institutions hereinafter named, to-wit: Iowa Soldiers' Home, Iowa Soldiers' Orphans' Home, Institution for Feeble Minded Children, State Sanatorium for the treatment of Tuberculosis, State Industrial Schools, State Hospitals for the Insane, State Penitentiary, the Reformatory, State Hospital and Colony for Epileptics and the Women's Reformatory.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 119, a bill for an act to repeal section thirty-three hundred and seventy-six (8376), supplement to the code, 1913, and to enact a substitute therefor,

relating to share not affected by will and election by a surviving spouse to take or to refuse to take under a decedent's will.

Also:

Senate File No. 54, a bill for an act to amend Chapter two hundred-sixty-seven (267) of the laws of the Thirty-seventh General Assembly, and relating to the compensation of jury commissioners and the auditing of the same by a judge of the district court.

Also:

Senate File No. 341, a bill for an act amending Section Fifteen hundred thirty-three (1533) Supplement to the Code, 1913, relating to the cutting of weeds along public highways over which township trustees and county boards have jurisdiction.

Also:

Senate File No. 118, a bill for an act to amend sections sixteen hundred fourteen-f (1614-f), sixteen hundred fourteen-g (1614-g), sixteen hundred fourteen-h (1614-h), and sixteen hundred fourteen-i (1614-i), of the supplement to the code, 1913, relating to annual reports by corporations, and making provision for forfeiture and cancellation of the corporate charter, and rights to do business in this State.

Also:

Senate File No. 296, a bill for an act to amend section twenty-seven hundred ninety-four-a (2794-a) of the supplemental supplement to the Code, 1915, as amended by chapter 432 of the Acts of the Thirty-seventh General Assembly, relating to consolidated school districts.

Also:

Senate File No. 302, a bill for an act to amend section two hundred thirty-five (235) of the code relating to special adjournment of the district court.

Also:

Senate File No. 79, a bill for an act to appropriate Twenty-five Thousand Dollars (\$25,000) as an additional amount to complete the Medical and Laboratory Building of the State Sanitorium for the Treatment of Tuberculosis at Oakdale and for equipment thereof, and also to appropriate the sum of Three Thousand Dollars (\$3,000) for the purchase of an X-ray machine for said institution.

Also:

Senate File No. 111, a bill for an act to amend Section two thousand and nine (2009) Supplement to the Code, 1913, relating to condemnation of land for state purposes.

Also:

Senate File No. 154, a bill for an act to provide training in teaching service for the Iowa State Teachers College, State University of Iowa and College of Agriculture and Mechanic Arts and to furnish instruction to pupils of school districts under contract between the Board of Directors and the State Board of Education.

Also:

Senate File No. 29, a bill for an act making appropriations for the erection, repair and improvement of buildings, for appurtenances and connections thereto, for furniture, fixtures furnishings and equipment, for the purchase of land, for the purchase of live stock, farm machinery and equipment, for establishing and maintaining industries, for the purchase of clothing, food, fuel and supplies, and for improvements, equipment and appliances needed in any or all of the institutions hereinafter named, to-wit: Iowa Soldiers' Home, Iowa Soldiers' Orphans' Home, Institution for Feeble Minded Children, State Sanatorium for the treatment of Tuberculosis, State Industrial Schools, State Hospitals for the Insane, State Penitentiary, the Reformatory, State Hospital and Colony for Epileptics and the Women's Reformatory.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

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. 197, a bill for an act providing for the organizing, admitting from other states, licensing and regulating of Mutual Insurance Corporations, organized among physicians, druggists, dentists and graduate nurses for their protection against loss in actions for alleged error, mistake or negligence; requiring such organizations to be incorporated; providing for fees, taxes, licenses, reports, cancellations, supervision and other regulations thereof and repealing all acts and parts of acts in conflict therewith.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 4, Chapter 428, Acts of the 37th General Assembly of Iowa, and Section 5, Chapter 428, Acts of the 37th General Assembly of Iowa, and Section 2, Chapter 412, Acts of the 37th General Assembly of Iowa, and Section 1744, Supplement to the Code, 1913, and Section 1745, Supplement to the Code, 1913, and Section 1783-d, Supplement to the Code, 1913, and Section 1783-e, Supplement to the Code, 1913, and Section 1790 of the Code, and Section 1613 of the Code; also to repeal the law as it appears in sub-division 1, Section 1709, Supplement to the Code, 1913, as amended by Section 1, Chapter 428, Acts of the 37th General Assembly of Iowa, and to enact a substitute therefor; also to enact a law regulating the investment of the assets of insurance companies and associations, and to provide for the compensation of special insurance examiners; all relating to and providing for certain regulations of all kinds of insurance companies authorized to transact business in the State of Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 to amend the law as it appears in Section 1824 of the Code, relating to fraternal beneficiary societies, and providing who may be beneficiaries under certificates issued by such societies.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 481, a bill for an act to authorize any minister, priest or rabbi to obtain a permit authorizing the purchase, transportation, use and possession of sacramental wines used by such ministers, priests or rabbis and providing penalties for the violation.

#### HOUSE AMENDMENT.

By striking out the word "liquors" in Section two (2) Paragraph two (2); and in lines nineteen, (19) twenty-three (23) and thirty-three (33) in Section four (4); also in lines two (2), six (6) nineteen (19), twenty-one (21), twenty-two (22) and twenty-three (23) in section five (5); also in line six (6), Section seven (7); and in lines three (3) and five (5) in Section eight (8), and inserting in lieu thereof the word "wine".

W. C. RAMSAY, *Chief Clerk.*

## MOTIONS TO RECONSIDER.

I move to reconsider the vote by which Senate File No. 498 passed to its third reading.

J. M. WILSON.

I move to reconsider the vote by which Senate File No. 498 failed to pass the Senate.

J. M. WILSON.

I concur in the above motions.

W. T. EVANS.

I move to reconsider the vote by which House File No. 49 failed to pass the Senate.

N. BALKEMA.

On motion of Senator Whitmore, Senate adjourned until 9:30 a. m. Monday.



# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 7, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rabbi Eugene Mannheimer of Congregation B'nai Jeshurun of Des Moines.

## PETITIONS AND MEMORIALS.

Senator LeCompte presented a remonstrance of citizens of Lucas county against bond issue for hard surfaced roads.

Referred to committee on highways.

Senator Schaffter presented petitions of citizens of Wright county favoring House road bill.

Referred to committee on highways.

Senator Scott presented a remonstrance of citizens of Chickasaw county against bond issue for hard surfaced roads.

## LEAVE OF ABSENCE.

On request of Senator Brookhart leave of absence was granted Senator Stephenson for the day.

## REPORTS OF COMMITTEES.

Senator Fellows, from the committee on educational institutions, submitted the following report:

MR. PRESIDENT—Your committee on educational institutions, to whom was referred Senate File No. 356, a bill for an act dissolving the corporation not for pecuniary profits known as the State Historical Society of Iowa, and transferring all of its property of whatever kinds, its funds and appropriations to the State University of Iowa; authorizing the State University to encourage research work in the history of Iowa and to publish the results of such research work; and repealing Sections 2882, 2883,

2884, 2885, 2886, 2887, 2888 of the Code, and section 2882-a section 2882b, section 2882-c, and section 2882-d, Supplement to the Code, 1913, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

A. M. FELLOWS, *Chairman.*

On motion of Senator Fellows the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on educational institutions, to whom was referred Senate File No. 469, a bill for an act to amend the law as it appears in Section 1, Chapter 214, Acts of the Thirty-seventh General Assembly; and to provide that certain children may be admitted to the Hospital of the College of Medicine of the State University who are not committed under the provisions of Section 254-c, Section 254-d, and Section 254-k, supplemental supplement to the code, 1915, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same do pass.

A. M. FELLOWS, *Chairman.*

Passed on file.

Also:

Your committee on educational institutions, to whom was referred Senate File No. 194, a bill for an act to abolish the state hospital for inebriates at Knoxville, Iowa, to provide wards at the state hospital for the insane for the detention and treatment of persons addicted to the excessive use of narcotic drugs, to establish a state normal school at Knoxville, Iowa, and making an appropriation therefor, and for the repeal of all acts inconsistent with the provisions thereof, beg leave to report they have had the same under consideration and have instructed me to report the same back to the House with the recommendation that the same be indefinitely postponed.

A. M. FELLOWS, *Chairman.*

On motion of Senator Fellows the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on educational institutions, to whom was referred Senate File No. 421, a bill for an act providing free tuition and matriculation fees in any state institution of learning for any honorably discharged soldier or sailor in the service of the United States, beg leave to report they have had the same under consideration and have instructed me to

report the same back to the Senate with the recommendation that the same be referred to the appropriations committee with recommendation for passage.

A. M. FELLOWS, *Chairman.*

The report of the committee was adopted and the bill referred to committee on appropriations.

Senator Proudfoot, from the committee on judiciary No. 2, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 2, to whom was referred House File No. 224, a bill for an act requiring public contractors to file a bond for the protection of the parties contracting therewith and for the benefit of those furnishing such contractor with materials used or labor performed in the carrying out of such contracts, etc., beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot the report of the committee was adopted and the bill indefinitely postponed.

#### HOUSE MESSAGES CONSIDERED.

House File No. 547, a bill for an act to amend the law as it appears in Section 4, Chapter 428, Acts of the 37th General Assembly of Iowa, and Section 5, Chapter 428, Acts of the 37th General Assembly of Iowa, and Section 2, Chapter 412, Acts of the 37th General Assembly of Iowa, and Section 1744, Supplement to the Code, 1913, and Section 1745, Supplement to the Code, 1913, and Section 1783-a, Supplement to the Code, 1913, and Section 1783-d, Supplement to the Code, 1913, Section 1783-e, Supplement to the Code, 1913, and Section 1790 of the Code, and Section 1813 of the Code; also to repeal the law as it appears in subdivision 1, Section 1709, Supplement to the Code, 1913, as amended by Section 1, Chapter 428, Acts of the 37th General Assembly of Iowa, and to enact a substitute therefor; also to enact a law regulating the investment of the assets of insurance companies and associations, and to provide for the compensation of special insurance examiners; all relating to and providing for certain regulations of all kinds of insurance companies authorized to transact business in the State of Iowa.

Referred to committee on insurance.

House File No. 197, a bill for an act providing for the organizing, admitting from other states, licensing and regulating of mutual insurance corporations, organized among physicians, druggist, dentists and graduate nurses for their protection against loss in actions for alleged error, mistakes or negligence; requiring such organizations to be incorporated; providing for fees, taxes, licenses, reports, cancellations, supervision and other regulations thereof and repealing all acts and parts of acts in conflict therewith.

Referred to committee on insurance.

### THIRD READING OF BILLS.

On motion of Senator Schaffter, Senate File No. 354, a bill for an act to amend section five hundred seventy-six (576), supplement to the code, 1913, relating to the duties of township clerks and the deposit of public funds collected by them, with report of committee recommending passage, was taken up, and House 496, a companion bill, was substituted therefor, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by inserting after the word "deposit" in line four section 1, the following: "in the name of and to the credit of the township of which he is clerk".

Also by adding after the period in line 1 of said section, the following: "provided that no check shall be drawn upon said township bank account by the township clerk, except it be in payment of bills which have come before and have been properly audited or authorized by the township Board of Trustees."

Senator Schaffter 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 vote was:

Ayes, 40.

Adams	Broxam	Fellows
Anderson	Buser	Foskett
Arney	Byington	Foster
Ball	Coburn	Frailey
Brookhart	Evans	Greenell

Haskell	Proudfoot	Smith
Holdoegel	Rainbow	Stoddard
Horchem	Ratcliff	Taylor
LeCompte	Reed	Thompson
Meredith	Rule	Van Alstine
Nelson	Schaffter	White
Newberry	Scott	Whitmore
Parker	Shane	Wilson
Pitt		

Nays, 1.

Kingland

Absent or not voting, 9.

Balkema	Hale	Mitchell
Cessna	Kimball	Price
Edwards	Kimberly	Stephenson

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

#### SENATE FILES WITHDRAWN.

By unanimous consent, Senator Schaffter withdrew Senate File No. 354 from further consideration.

By unanimous consent, Senator Horchem withdrew Senate File No. 315 from further consideration.

#### COMMITTEE TO INVESTIGATE PANAMA EXPOSITION FUND.

Senator Pitt called the attention of the Senate to the following charges made by James M. Pierce, publisher of The Iowa Homestead:

In order that this matter may be put before the legislature in definite form, so that it may have grounds for taking proper action, I make the following charges, which I am ready to go before any committee of the Thirty-eighth General Assembly and prove:

First.—I charge that Woodworth Clum, as secretary of the Iowa commission to the Panama-Pacific exposition, paid a personal and private bill, which had nothing to do with the exposition or the state of Iowa, out of funds appropriated for the state's exhibit at the San Francisco fair.

Second.—I charge that Woodworth Clum paid \$100 of the state's money for a second-hand typewriter, that was owned by the Clinton Advertiser, in which he was interested, whereas the state can buy a new machine at any time for \$80; and I further charge that he has never returned this typewriter to the state.

Third.—I charge that Woodworth Clum paid to himself, out of state funds, \$1,562.54 as salary for seven months prior to the time that the bill was passed making the appropriation.

Fourth.—I charge that Woodworth Clum paid to himself, out of the state appropriation for the Panama-Pacific exposition, salary and expenses for the time that he was lobbying in the Thirty-sixth General Assembly for the passage of the appropriation bill, which was to provide him a job.

Fifth.—I charge that the Iowa commission to the Panama-Pacific exposition has failed to comply with the law requiring it to make "a full, detailed and itemized accounting" of the state funds which it handled.

Sixth.—I charge that the Iowa commission to the Panama-Pacific exposition has failed to report or to turn over to the state a penny received by it from concessions or other sources of income at the San Francisco exposition, and that it has failed to account for or return property purchased with the state's money.

JAMES M. PIERCE,

*Publisher of The Iowa Homestead.*

Senator Pitt moved that the president appoint a special committee of five to investigate the charges made and report their findings to the Senate not later than April 14.

The motion prevailed

The president appointed the following as such committee: Senators Pitt, Foskett, Thompson, Brookhart and Buser.

### THIRD READING OF BILLS.

On motion of Senator Haskell Senate File No. 460, a bill for an act to amend section four hundred seventeen (417) of the code, 1897, relating to the formation of supervisor districts and election of supervisors, was taken up, and considered, the report of the committee having previously been adopted.

Senator Parker offered the following amendment as a substitute for the pending amendment:

"Provided, however, that counties which have cities within their limits with a population of 55,000 or over shall continue to nominate and elect their supervisors by vote of the electors of their respective districts."

The amendment was adopted.

Further action was deferred until afternoon session.

On motion of Senator Van Alstine, Senate File No. 162, a bill for an act to amend the law as it appears in section twenty-nine

hundred five (2905), of the code, and to repeal section twenty-nine hundred six (2906) of the code, enacting a substitute therefor relative to the filing of chattel mortgages, bills of sale or other instruments affecting the title to or incumbrance of personal property and providing fees to be paid therefor, and repealing all laws or parts of laws in conflict herewith, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The following pending amendments were adopted:

Amend by striking from the title (following the word "in" where it occurs in the first line) the words and figures as follows:

"Section twenty nine hundred and five (2905) of the code" and in lieu thereof insert the following "Chapter 154 of the acts of the 37th General Assembly of Iowa".

Also by striking out all of Section six and inserting in lieu thereof the following:

"A copy of such original instrument, duly certified by the county recorder in whose office the same shall have been filed, shall be received in evidence in all suits or actions to which it may be applicable: and if in any suit or action, the due execution of such instrument or its genuineness be questioned in such manner as to render the production of the original instrument desirable or necessary, then the same may be produced by the recorder of the county in obedience to a proper judicial process or court order."

Also by inserting as Section 12, the following:

"Sec. 12. That chapter 154 of the Acts of the 37th General Assembly be amended by inserting in the tenth line thereof after the word "recorded" the words "or filed and deposited." "

Also to renumber section 12 to appear as section 13.

Senator Schaffter offered the following amendment and moved its adoption:

Amend Senate File 162 in Section 11 line 5, by striking out the words "twenty five" and inserting in lieu thereof the words "fifty".

The amendment was lost.

Senator Van Alstine moved that the rules be suspended, that the motion be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

## Ayes, 32.

Adams	Horchem	Reed
Anderson	Kimball	Rule
Balkema	Kingland	Schaffter
Broxam	LeCompte	Scott
Byington	Meredith	Shane
Coburn	Nelson	Smith
Evans	Parker	Stoddard
Foskett	Pitt	Van Alstine
Greenell	Price	White
Haskell	Proudfoot	Whitmore
Holdoegel	Rainbow	

## Nays, 7.

Ball	Ratcliff	Thompson
Foster	Taylor	Wilson
Newberry		

## Absent or not voting, 11.

Arney	Edwards	Kimberly
Brookhart	Fellows	Mitchell
Buser	Fralley	Stephenson
Cessna	Hale	

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 Horchem, Senate File No. 510, a bill for an act to encourage boards to provide the school children of their respective districts with agricultural training work and recreation in the manner contemplated by Chapter 14-E, Title XIII, Supplemental Supplement to the Code, 1915, providing state aid to all such school districts, fixing the terms and conditions under which such state aid shall be granted, and appropriating the sum of two thousand dollars (\$2,000.00) to carry out the purpose of this act, a committee bill, was taken up and considered.

Senator Horchem 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 vote was:



## Ayes, 35.

Adams	Foster	Rainbow
Anderson	Frailey	Ratcliff
Balkema	Greenell	Reed
Ball	Haskell	Rule
Brookhart	Horchem	Schaffter
Broxam	Kimberly	Scott
Byington	Kimberly	Shane
Cessna	Newberry	Stoddard
Edwards	Parker	Taylor
Evans	Pitt	Thompson
Fellows	Price	Van Alstine
Foskett	Proudfoot	White
		Wilson

## Nays, 5.

Coburn	LeCompte	Rule
Kingland	Nelson	

## Absent or not voting, 10.

Arney	Meredith	Smith
Buser	Mitchell	Stephenson
Hale	Schaffter	Whitmore
Holdoegel		

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 Schaffter, Senate File No. 511, a bill for an act to amend section two hundred fifty-four-a twenty (254-a20) of the supplement to the code, 1913, relating to financial aid for widowed mothers, a committee bill, was taken up, and considered.

Senator Schaffter 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 vote was:

## Ayes, 38.

Adams	Frailey	Ratcliff
Anderson	Greenell	Reed
Balkema	Haskell	Rule
Ball	Horchem	Schaffter
Brookhart	Kimberly	Scott
Broxam	Kingland	Shane
Byington	Meredith	Smith
Cessna	Nelson	Stoddard
Coburn	Newberry	Taylor
Edwards	Parker	Thompson
Evans	Price	Van Alstine
Fellows	Proudfoot	Wilson
Foster	Rainbow	

Nays, none.

Absent or not voting, 12.

Arney	Holdoegel	Pitt
Buser	Kimball	Stephenson
Foskett	LeCompte	White
Hale	Mitchell	Whitmore

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 Schaffter, Senate File No. 512, a bill for an act to amend Section nineteen hundred eighty-nine-a twenty-six, (1989-a26), Supplement to the Code, 1913, providing for the payment of special assessments for levies, ditches, drains, etc., a committee bill, was taken up, and considered.

Senator Wilson moved to strike section 2, the publication clause.

The motion prevailed.

Senator Schaffter 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 vote was:

Ayes, 39.

Adams	Foster	Rainbow
Anderson	Frailey	Ratcliff
Balkema	Haskell	Reed
Ball	Horchem	Rule
Brookhart	Kimberly	Schaffter
Broxam	Kingland	Scott
Buser	LeCompte	Shane
Byington	Meredith	Smith
Cessna	Nelson	Taylor
Coburn	Newberry	Thompson
Edwards	Parker	Van Alstine
Evans	Price	White
Fellows	Proudfoot	Wilson

Nays, none.

Absent or not voting, 11.

Arney	Holdoegel	Stephenson
Foskett	Kimball	Stoddard
Greenell	Mitchell	Whitmore
Hale	Pitt	

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 Parker, Senate File No. 429, a bill for an act to repeal paragraph four (4) of Section four thousand six hundred twenty-three (4623) of the Code, and to enact a substitute therefor, relating to the admissibility as evidence of loose leaf or card or other form of entry used in the ordinary course of business, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

Senator Price was called to the chair at 11:40 a. m.

Senator Parker offered the following amendment and moved its adoption:

Amend by striking from lines 3 and 4 the words "repealed and the following substituted in lieu thereof" and inserting the following in lieu thereof: "amended by adding thereto the following"

The amendment was adopted.

Senator Parker 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 vote was:

Ayes, 36.

Anderson	Foster	Proudfoot
Balkema	Fralley	Rainbow
Ball	Greenell	Ratcliff
Brookhart	Haskell	Reed
Broxam	Horchem	Rule
Buse	Kingland	Schaffter
Byington	LeCompte	Scott
Cessna	Meredith	Shane
Coburn	Nelson	Thompson
Edwards	Newberry	Van Alstine
Evans	Parker	White
Fellows	Price	Wilson

Nays, none.

Absent or not voting, 14.

Adams	Kimball	Stephenson
Arney	Kimberly	Stoddard
Foskett	Mitchell	Taylor
Hale	Fitt	Whitmore
Holdoegel	Smith	

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

Senator Parker offered the following amendment to the title and moved its adoption:

Amend the title by striking the word "repeal" from line 1 thereof and substituting therefor the word "amend." Also by striking the words "and to enact a substitute therefor" in lines 2 and 3.

The amendment was adopted and the title as amended was agreed to.

Senator Parker asked and was granted unanimous consent to strike out the words "of Iowa" in the second line of the bill.

#### THIRD READING OF BILLS.

On motion of Senator Brookhart, Senate File No. 259, a bill for an act to repeal section two thousand two hundred forty-one (2241) Supplement to the code, 1913, and enacting a substitute in lieu thereof, providing for the establishment of a county home and changing the name of Poor Houses and providing a fund to be known as the County Home fund, and providing for the levy and collection of taxes therefor. Also amending section two thousand two hundred forty-seven (2247) Supplement to the code, 1913, relating to the expense of supporting the poor, was taken up, and considered.

Senator Brookhart offered the following amendment and moved its adoption.

Amend Senate File No. 259 as follows:

By inserting after the word "one" in line two of section one the following: "(2241)"; and by inserting after the word "house" at the end of line eleven the words "or Poor Farm"; by striking out the word "five" in line ten of section one and inserting in lieu thereof the word "ten"; and that section three of said bill be amended as follows: By changing the period at the end of said section to a comma and adding thereto the following: "and by striking from line five thereof the word 'two' and inserting in lieu thereof the word 'one'."

The amendment was adopted.

Further action was deferred.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 132, a bill for an act to amend section two thousand six hundred six (2605) Supplemental Supplement to the Code, 1915, relating to rules of admission to the Iowa Soldiers' Home.

Also:

Senate File No. 248, a bill for an act to authorize and empower the State Board of Control to lease the right to mine the coal from under all that portion of the present state fair ground lying east of a line running north and south two hundred (200) feet, east of the present poultry building.

Also:

Senate File No. 440, a bill for an act to convey to James M. Peden the title of the State of Iowa to the Northeast quarter (NE $\frac{1}{4}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ) of Section Eleven (11), Township Seventy (70) North, Range Thirteen (13), West of the 5th P. M.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 132, a bill for an act to amend section two thousand six hundred six (2606) Supplemental Supplement to the Code, 1915, relating to rules of admission to the Iowa Soldiers' Home.

Also:

Senate File No. 248, a bill for an act to authorize and empower the State Board of Control to lease the right to mine the coal from under all that portion of the present state fair ground lying east of a line running north and south two hundred (200) feet, east of the present poultry building.

Also:

Senate File No. 440, a bill for an act to convey to James M. Peden the title of the State of Iowa to the Northeast quarter (NE $\frac{1}{4}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ) of Section Eleven (11), Township Seventy (70) North, Range Thirteen (13), West of the 5th P. M.

Also:

House File No. 255, a bill for an act to repeal section twenty-five hundred fourteen-h (2514-h), section twenty-five hundred fourteen-m (2514-m), section twenty-five hundred fourteen-q (2514-q), section twenty-five hundred fourteen-s (2514-s), and section twenty-five hundred fourteen-t (2514-t), of the supplement to the code, 1913, and to enact substitutes therefor; also to amend section twenty-five hundred fourteen-u (2514-u), and section twenty-five hundred fourteen-w (2514-w), of the supplement to the code 1913, relating to the inspection of hotels and providing for the licensing thereof.

Also:

House File No. 319, a bill for an act to amend the law as it appears in section nine hundred thirty-seven (937), supplemental supplement to the code, 1915, relative to cities under special charters.

Also:

House File No. 392, a bill for an act to amend the law as it appears in chapter fifty-one (51), section one (1), acts of the thirty-seventh (37th) general assembly relating to community center houses and recreation grounds.

Also:

House File No. 497, a bill for an act to amend section twenty-five hundred eighty-five (2585), supplement to the code, 1913, relating to the traveling expenses of the secretary and treasurer of the commission of pharmacy.

Also:

House File No. 502, a bill for an act to appropriate funds for the construction and equipment of a cottage for the training school for girls at Mitchellville.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

## BILLS SIGNED BY THE PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed House Files Nos. 255, 319, 392, 497 and 502; also Senate Files Nos. 29, 118, 341, 54, 119, 79, 302, 154, 111, 132, 248 and 440.

On motion of Senator Newberry Senate adjourned until 4:00 p. m.

## AFTERNOON SESSION.

Senate resumed regular session, President Moore presiding.

Senator Holdoegel moved that committee reports on bills on which committee action has been had may be received at the convening of the Senate, April 8th.

Motion prevailed.

## LEAVE OF ABSENCE.

On request of Senator Wilson, leave of absence was granted Senator Hale for the day.

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

## THIRD READING OF BILLS.

The Senate resumed consideration of Senate File No. 460, a bill for an act to amend section four hundred seventeen (417) of the Code, 1897, relating to the formation of supervisor districts and election of supervisors.

Senator Smith offered the following amendment and moved its adoption:

It is further provided that counties which now nominate and elect supervisors by a vote of the electors of the county may and shall when petitioned to do so by fifteen percentum of the electors of said county submit to the qualified voters in the same manner as provided in Section 1 of this act the question: "Shall the county nominate and elect the supervisors by vote of the electors of districts, said districts to be fixed and determined by the board of supervisors at their regular January meeting."

Senator Kimball offered the following amendment as a substitute for the amendment offered by Senator Smith and moved its adoption:

Amend by striking out all after the enacting clause and substituting therefor the following:

SECTION 1. That the law as it appears in section four hundred ten (410), supplement to the code, 1913, 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 increased to five or hereafter be increased to five in the manner provided by this chapter, in which case such number shall not exceed five after the second secular day in the year, 1923. 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 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 three years, and one for two years. In any county where the number of supervisors, have 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, 1913, be and the same is hereby repealed and the following enacted in lieu thereof:

There shall be elected at each general election, members of the board of supervisors for a term of three years to succeed those whose terms expire in January following said election and in January one year later. On or before the April meeting, 1920, of the board of supervisors it shall assign to each supervisor to be elected to succeed those whose terms will expire, a supervisor district within which such candidate for member of the board shall reside at the time of his election and during his term of office and it shall be specified on the ballot from which district the member is to be elected and the successor of the member elected for any district shall in the same manner reside within the district at the time of his election and during his incumbency.

The assignment of districts shall not be held to apply to supervisors whose terms of office have not expired, but only to their successors.

The term of office of all supervisors shall be three years and shall commence on the second secular day of January of the years of the expiration of the term of their predecessors.

SEC. 3. That the law as it appears in section four hundred sixteen (416), supplement to the code, 1913, 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, 1929, and may, in any even numbered year thereafter, divide its county into a number of supervisor districts corresponding to the whole number of supervisors to be elected 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 population as possible and shall embrace territory as nearly contiguous as practicable, provided that no supervisor shall be assigned less than one township, each of which districts shall have one member of the board of supervisors who shall reside therein, and who shall 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.

Provided, however, counties which now nominate and elect three or five supervisors by vote of the electors of the respective districts shall continue to so nominate and elect their supervisors, but the board of supervisors may, and shall when petitioned to do so by fifteen per centum of the electors voting at last general election of said county, submit to the qualified voters of the county at any regular election the following proposition: "Shall the county nominate and elect the supervisors by vote of the electors voting at large instead of by districts?" If a majority of the votes cast shall be in favor of said proposition then the members of the board from their respective districts shall be nominated and elected as herein provided by the electors of the whole county at the first primary and election held after the adoption of the proposition.

Provided, further, that in counties nominating and electing supervisors at large, the board of supervisors may and shall when petitioned to do so by fifteen per centum of the electors of said county, submit to the qualified voters of the county the question "Shall the county nominate and elect the supervisors by a vote of the electors of districts, said districts to be fixed and determined by the board of supervisors, as provided by law?" If a majority of the votes cast shall be in favor of said proposition, then supervisors shall be nominated and elected from and by the electors in said districts.

And, provided further, counties, which have cities within their limits with a population of sixty thousand or over, shall continue to nominate and elect their supervisors by vote of the electors of their respective 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.

Amendment adopted.

Senator Buser moved that the bill be referred to joint committee on judiciary.

Senator Foster moved as a substitute that further action be deferred until April 8, at 9:15 a. m.

The substitute motion was lost.

The president ruled that the motion offered by Senator Buser was out of order and could not be considered at this time, as the bill if referred would go to the sifting committee, April 8th.

Senator Haskell 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 vote was:

Ayes, 28.

Anderson	Holdoegel	Reed
Brookhart	Horchem	Rule
Broxam	Kimball	Schaffter
Cessna	Kingland	Scott
Coburn	LeCompte	Smith
Evans	Meredith	Van Alstine
Fellows	Parker	White
Foskett	Pitt	Whitmore
Frailey	Rainbow	Wilson
Haskell		

Nays, 11.

Arney	Edwards	Proudfoot
Ball	Foster	Ratcliff
Buser	Newberry	Stephenson
Byington	Price	

Absent or not voting, 11.

Adams	Kimberly	Stoddard
Balkema	Mitchell	Taylor
Greenell	Nelson	Thompson
Hale	Shane	

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

Senator Kimball offered the following amendment to the title and moved its adoption:

Amend Senate File No. 460 by striking out the title and substituting in lieu thereof the following:

A bill for an act to repeal the law as it appears in sections four hundred ten, (410), four hundred eleven, (411), and four hundred sixteen, (416),

supplement to the code, 1913, and in sections four hundred seventeen (417), and four hundred eighteen, (418), of the code; and to enact a substitute therefor relating to the elections, duties and terms of office of county supervisors.

The amendment was adopted and the title as amended was agreed to.

#### MOTION TO RECONSIDER FILED.

I move to reconsider the vote by which House File No. 224 was indefinitely postponed.

A. L. RULE.

#### INTRODUCTION OF BILLS.

By committee on judiciary No. 1, Senate File No. 527, a bill for an act to legalize a certain election held in the town of Oakland, Pottawattamie County, Iowa, on the 14th day of February, 1919, whereat there was submitted to the voters of said town a proposition to issue bonds of said town in the sum of \$25,000, for the purpose of constructing a water works system and water supply, and to authorize and legalize bonds to be issued pursuant to said election and to authorize the expenditure of funds for the purposes proposed at said election.

Read first and second time and passed on file.

By committee on judiciary No. 1, Senate File No. 528, a bill for an act providing for a joint drainage board, consisting of the city council and the board of supervisors, when any drainage district includes within its boundary the corporate limits of a city of the first class.

Read first and second time and passed on file.

By joint committee on judiciary, Senate File No. 529, a bill for an act to repeal section three thousand four hundred and fifteen (3415) of the code, and enacting a law in lieu thereof relating to compensation of executors, administrators and attorneys in the settlement of estates.

Read first and second time and passed on file.

By committee on public schools, Senate File No. 530, a bill for an act to amend the law as it appears in Senate File two hundred and ninety-six (296), as enacted by the thirty eighth (38) general assembly and approved April 5, 1919, relating to consolidated school districts, and to legalize the formation and organization of certain consolidated independent school districts.

Read first and second time and passed on file.

#### REPORT OF COMMITTEE.

Senators Wilson and Proudfoot, from the committee on joint judiciary Nos. 1 and 2, submitted the following report:

MR. PRESIDENT—Your committee on joint judiciary Nos. 1 and 2, to whom was referred Senate File No. 27, a bill for an act to amend Section 1571-m32 of the Supplemental supplement to the code, 1915, and providing for the apportionment of the motor vehicle fund, beg leave to report they have had the same under consideration and recommend the same be re-referred to the sub-committee on motor vehicle bills of judiciary Nos. 1 and 2.

WILSON AND PROUDFOOT, *Chairmen.*

Report adopted and bill so referred.

Also:

Your committee on joint judiciary No. 1 and 2, to whom was referred Senate File No. 385, a bill for an act relating to Motor vehicle Dealers Number Plates, the registration thereof and registration Fee, beg leave to report they have had the same under consideration and recommend the same be re-referred to the sub-committee on Motor Vehicle bills of Judiciary No. 1 and 2.

WILSON AND PROUDFOOT, *Chairmen.*

Report adopted and bill so referred.

Also:

Your committee on joint judiciary No. 1 and 2, to whom was referred Senate File No. 39, a bill for an act to amend 1571-M-19 Supplement to the code, 1913, relative to the care and prudence in driving to be exercised by drivers or operators of motor vehicles, beg leave to report they have had the same under consideration and recommend the same to be re-referred to the sub-committee on Motor Vehicle bills of Judiciary No. 1 and 2.

WILSON AND PROUDFOOT, *Chairmen.*

Report adopted and bill so referred.

Also:

Your joint committee to which was referred Senate File 357 by Price to pass on the constitutional questions involved in said bill, begs leave to state that it has had same under consideration and reports as follows:

We find that the constitution of the State of Iowa and the decisions of our Supreme Court and the Supreme Courts of other states would authorize the assessment of a tax upon common industries, like the one herein proposed, provided that said tax were evenly imposed upon all industries of the same class. In other words, there is nothing in the constitution, that prevents a state from separating a particular class of property and subjecting it to assessment and taxation provided that said tax is uniform upon all subjects of the same class and kind.

As for the expenditure of moneys to be raised under this bill, we find the following provisions in the constitution of the state of Iowa:

Const. Art. 9, Sec. 7. The money subject to the support and maintenance of common schools shall be distributed to the districts in proportion to the number of youths, between the ages of 5 and 21 years, in such manner as may be provided by the General Assembly.

Art. 1, Sec. 6, Laws Uniform. All laws of a general nature shall have a uniform operation; the General Assembly shall not grant to any citizen or class of citizens, privileges or immunities, which upon the same terms shall not equally belong to all citizens.

Art. 3, Sec. 30, Laws, General and Uniform. "In all the cases above enumerated, and in all other cases where a general law can be made applicable, all laws shall be general and of uniform operation throughout the state."

Under these provisions of our constitution we are of the opinion that the application of school funds to particular common schools as proposed in this act would be unconstitutional.

WILSON AND PROUDFOOT, *Chairmen.*

Senator Evans moved that the rules be suspended and that Senate Files Nos. 39, 27, 385, 508 and 478 which were referred to the joint committee on judiciary remain in the control of said committee and do not pass into the hands of the sifting committee. Said judiciary committee to report to the Senate on said bills not later than Thursday, April 10, 1919.

By unanimous consent, the motion prevailed.

Senator Foskett moved that all bills in the hands of the committee on departmental affairs pertaining exclusively to salaries

be allowed to remain in the hands of the committee until after the report of the sub-committee on salaries is made.

The motion prevailed.

#### CONCURRENT RESOLUTION.

Senator Evans offered the following concurrent resolution and asked unanimous consent for its consideration:

*Be It Resolved by the Senate of the State of Iowa, the House concurring:*

That, the committee having in charge the investigation of the charge of misappropriation of funds belonging to the state of Iowa appropriated for the purpose of making an Iowa exhibit at the Panama exposition, is hereby authorized to incur such expense, not to exceed one hundred dollars (\$100.00) as may be necessary to secure witnesses and for the preservation of the evidence so taken and the records, in conducting their investigation of the charges made in expenditure and accounting of said funds. Said expenses to be included in the Omnibus bill to be passed by the Thirty-eighth General Assembly.

PFTT,  
FOSKETT,  
THOMPSON,  
BROOKHART,  
BUSER.

Unanimous consent being given, Senator Buser moved the adoption of the resolution, which motion prevailed, and the resolution was adopted.

#### HOUSE MESSAGES CONSIDERED.

Senator Holdoegel called up House amendment to Senate concurrent resolution relative to expense of committee on departmental affairs and moved that the Senate concur in the following House amendment.

#### HOUSE AMENDMENT.

Amend by striking out the period following the word "Iowa" in the 5th line and substituting in lieu thereof the following "not exceeding five hundred dollars."

The motion prevailed and the amendment was concurred in by the Senate.

## REPORTS OF COMMITTEES.

Senator Frailey, from the committee on insurance, submitted the following report:

MR. PRESIDENT—Your committee on insurance, to whom was referred Senate File No. 347, a bill for an act to amend section sixteen hundred ninety-nine (1699), Supplement to the Code, 1913, relating to insurance, other than life, and providing for the securities in which a company organized to write insurance, other than life, shall invest its capital and funds, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on banks and banking.

J. R. FRAILEY, *Chairman*.

Report adopted and bill referred to committee on banks and banking.

Also:

Your committee on insurance, to whom was referred Senate File No. 346, a bill for an act to amend section 1839-1, Supplement to the Code, 1913, relating to the investment of funds of Fraternal Beneficiary Societies and providing for the Securities in which such societies may invest funds accumulated and held to fulfill the obligations of their contracts, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on banks and banking.

J. R. FRAILEY, *Chairman*.

Report adopted and bill referred to committee on banks and banking.

Also:

Your committee on insurance, to whom was referred Senate File No. 349, a bill for an act to amend Section eighteen hundred and six (1806), Supplemental Supplement to the Code, 1915, to provide the securities in which the funds of life insurance companies and associations shall be invested, beg leave to report they have had the same under consideration and recommend the same be referred to the committee on banks and banking.

J. R. FRAILEY, *Chairman*.

Report adopted and bill referred to committee on banks and banking.

Senator Parker, 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. 434, a bill for an act to amend Section six hundred and sixty-a (560-a), six hundred and sixty-b (660-b) and six hundred and sixty-d (660-d), Supplement to the Code, 1913, relating to the deposit of public funds by cities and towns and the payment of interest thereon, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was re-referred House File No. 63, a bill for an act giving cities power to assess abutting and adjacent property for the cost of acquiring land by condemnation or purchase, and improving the same for streets, avenues, alleys, boulevards, parkways and highways, 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:

Amend by striking out the title and substituting in lieu thereof the following: "A Bill For An Act amending Section seven hundred fifty-one (751), Supplemental Supplement to the Code, 1915, relating to the establishment, improvement and assessments on abutting and adjacent property in cities and towns." Also amend by striking out all after the enacting clause and inserting in lieu thereof the following: "Section 1. That the law as it appears in Section seven hundred fifty-one (751), Supplemental Supplement to the Code, 1915, be and the same is hereby amended by inserting after the comma following the word "avenues" in line three of said section the words "boulevards, parkways,".

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred Senate File No. 433, a bill for an act amending Section nine hundred ninety-seven-c (997-c), of Title Five (5), Chapter Fourteen (14), Supplemental Supplement to the Code, 1915, providing for the care, custody and control of trees, shrubbery, flowers and grass outside of the lot or property lines and inside the curb lines and upon the public streets and placing the same within the jurisdiction of the Park Commissioners of Special Chartered Cities, (Cities under the Commission Form, Cities under the City Manager Plan and ordinary Cities and Towns), 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:

Amend by striking out all of Section 2, also amend the title by striking out the comma following the words "special chartered cities"



found in line eight of the title, and inserting in lieu thereof a period, and striking out the balance of the title.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 357, a bill for an act authorizing the issuance of sewer bonds by cities and towns, including cities operating under the commission form of government, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred House File No. 358, a bill for an act to amend the law as it appears in Sections thirteen hundred six-b (1306-b), thirteen hundred six-c (1306-c), and thirteen hundred six-d (1306-d), Supplement to the Code, 1913, and Chapter eighty-five (85), Acts of the Thirty-seventh General Assembly, relating to the limitations of indebtedness which may be incurred by counties and other political or municipal corporations and the issuance of bonds in cities and towns, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred Joint Resolution No. 1, a resolution proposing an amendment to the constitution of the State of Iowa, authorizing cities to acquire by gift, purchase or condemnation, lands for establishing, laying out, widening, enlarging, extending and maintaining memorial or art grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public buildings and reservations in and about and along and leading to any or all of the same; with the right after the establishment, laying out and completion of such improvement to lease or convey any excess thus acquired and not necessary for such improvement, with or without reservation as to the use thereof; and authorizing the issuance of bonds to supply the funds in whole or in part to pay for the excess so appropriated or otherwise acquired, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman*.

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred Senate File No. 215, a bill for an act to amend Title five (5), Chapter nine (9) of the Code of Iowa, relating to Park Commissioners and Board of Public Works and to provide additional funds for parks and to make provisions for borrowing money and issuing bonds therefor; for acquisition of real estate and permanent improvement thereof, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred Senate File No. 334, a bill for an act to amend the law as it appears in section 694-C47 of the Supplemental Supplement to the Code, 1915, as amended by Chapter 152 of the Acts of the 37th General Assembly, relating to the compensation of Judges, Clerks and Bailiffs of Municipal Courts, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Also:

Your committee on cities and towns, to whom was referred Senate File No. 427, a bill for an act to amend Section two (2), Chapter four hundred five (405), Acts of the 37th General Assembly, relating to salary of probation officers, beg leave to report they have had the same under consideration and recommend the same do pass.

ADDISON M. PARKER, *Chairman.*

Ordered passed on file.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred House File No. 431, a bill for an act to amend section two thousand eight hundred sixteen (2816) supplement to the code of Iowa 1913, relating to the reversion of school sites, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Also:

Your committee on public schools, to whom was referred House File No. 275, a bill for an act to amend the law as it appears in section 2734-b, supplemental supplement to the code, 1915, as amended by chapter 317, acts of the thirty-seventh general assembly, relating to deputy county superintendents, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Also:

Your committee on public schools, to whom was referred House File No. 448, a bill for an act to repeal Section two thousand seven hundred forty eight (2748) of chapter fourteen (14) of the code, relating to school officers, and enact in lieu thereof the following, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Also:

Your committee on public schools, to whom was referred House File No. 484, a bill for an act to amend Section two thousand seven hundred and eighty three (2783) supplement to the Code, 1913, as amended by section seven (7) of Chapter three hundred eighty-six (386) acts of the thirty-seventh general assembly, relating to the use of the general fund for the purchase of school supplies, beg leave to report they have had the same under consideration and recommend the same do pass.

BYRON W. NEWBERRY, *Chairman.*

Ordered passed on file.

Senator Pitt, from the committee on labor, submitted the following report:

MR. PRESIDENT—Your committee on labor, to whom was referred Senate File No. 352, a bill for an act to amend sections four thousand nine hundred ninety-nine-a1 (4999-a1), four thousand nine hundred ninety-nine-a2 (4999-a2) and four thousand nine hundred ninety-nine-a5 (4999-a5), supplement to the code, 1913, and to repeal section four thousand nine hundred ninety-nine-a4 (4999-a4), supplement to the code, 1913, and to provide for the safety and comfort and health of employees and other persons in places where industry, trade or business is carried on, and to provide for inspection of such places and for the promulgation of rules, regulations and orders by the commissioner of the bureau of labor statistics, and to

provide penalties for the violation of the provisions of this act, 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:

Amend sub-division two (2) of section six (6) in the fourteenth (14) line by striking out the period "." at the end of said sub-division and inserting in lieu thereof a semicolon ";" and adding the following words:

"the commissioner is hereby authorized to recognize as sufficient such safety devices, safeguards, or other means and methods of protection as may have been heretofore approved by him".

Also amend by striking from sub-division two (2) of section eight (8) in the second (2) line of said sub-division the word "conclusively".

Also amend by striking from sub-division one (1) of section nine (9) in the third (3) line of said sub-division the words "Polk County" and by inserting in lieu thereof the words "the county where the industry is located".

M. B. PIRT, *Chairman.*

Ordered passed on file.

Also:

Your committee on labor, to whom was referred Senate File No. 125, a bill for an act to fix, limit and determine the maximum number of hours per day during which females may be employed or permitted to work, and the terms and conditions and limitations thereof, to provide for the posting of information of the terms of this act and of schedules of time such employees may be required to labor, to fix and determine the duties and powers of the commissioner of the bureau of labor statistics in reference to this act, to prescribe the duties of employers of such labor and to prescribe penalties and punishment for violations of this act, 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:

Amend Section Two (2) by striking therefrom the period "." after the word "day" in the fourth (4) line of said Section and inserting in lieu thereof a comma "," and adding thereto the following words: "except as herein otherwise provided".

Also amend Section Two (2) by adding after the second (2) paragraph of said Section ending at line thirteen (13) therein the following:

"Provided, that this act shall not be so construed as to prohibit female employees of tent and awning manufacturers from working twelve (12) hours per day for not more than three (3) days per week during the months of May and June of each year.

"Provided, further, that this act shall not be so construed as to prohibit female employees of dealers in horticultural seeds from working twelve (12) hours per day for not more than three (3) days per week during the months of March, April and May of each year.

Provided, further that this act shall not be so construed as to prohibit female employees in laundry establishments from working twelve (12) hours per day for not more than three (3) days per week, during the months of June, July and August of each year.

Provided, further, that this act shall not be so construed as to prohibit female employees of manufacturers of furs and fur goods from working twelve (12) hours per day for not more than three (3) days per week, during the months of November and December of each year.

Provided, further, that this act shall not be so construed as to prohibit female employees of garment manufacturers from working twelve (12) hours per day for not more than three (3) days per week, during the months of January, February, March, July, August and September of each year.

Provided, further, that this act shall not be so construed as to prohibit female employees of candy manufacturers from working twelve (12) hours per day for not more than three (3) days per week, during the months of October, November and December of each year.

Provided, further, that this act shall not be so construed as to prohibit female employees of calendar manufacturers from working twelve (12) hours per day for not more than three days per week, during the months of October, November and December of each year.

Provided, further, that this act shall not be so construed as to prohibit female employees of fountain pen manufacturers from working twelve (12) hours per day for not more than three (3) days per week during the months of October, November and December of each year.

Provided, further, that this act shall not be so construed as to apply, nor shall it apply, to persons employed as telephone operators in towns of a population of two thousand (2,000) inhabitants or less".

Also, amend Section Three (3) by striking out the period "." after the word "work" in line seven (7) thereof and inserting in lieu thereof a comma "," and adding the following words: "or to such establishments where three (3) shifts are employed every twenty-four (24) hours in each day."

Also, amend Section Four (4) by striking out the period "." after the word "operators" in line eight (8) thereof and inserting in lieu thereof a comma "," and adding the following words: "or to such establishments where three (3) shifts are employed every twenty-four (24) hours in each day".

M. B. Prrr, *Chairman.*

Ordered passed on file.

Senator Kimball, 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. 425, a bill for an act to amend paragraph four (4) of Section thirteen hundred three (1303) supplemental supplement to the Code, 1915, relating to the amount of taxes that may be levied for making and repairing bridges, beg leave to report they have had the same under consideration and recommend the same do pass.

CLEM F. KIMBALL, *Chairman.*

Ordered passed on file.

Also:

Your committee on ways and means, to whom was referred House File No. 384, a bill for an act to amend section one thousand three hundred seventy (1370), supplement to the code, 1913, relating to equalization of taxes by township trustees, beg leave to report they have had the same under consideration and recommend the same do pass.

CLEM F. KIMBALL, *Chairman.*

Ordered passed on file.

Also:

Your committee on ways and means, to whom was referred Senate File No. 405, a bill for an act to amend section one (1) chapter one hundred ninety-one (191) Acts of the Thirty-seventh General Assembly, relating to exemptions from taxation of property of soldiers and sailors, 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:

By striking out the words and figures "one thousand dollars (\$1,000)." in line seven (7) thereof and inserting in lieu thereof the words and figures "five hundred dollars (\$500)."

CLEM F. KIMBALL, *Chairman.*

Ordered passed on file.

Also:

Your committee on ways and means, to whom was referred Senate File No. 454, a bill for an act to amend sections thirteen hundred twenty-two (1322) and thirteen hundred twenty-two, one a, (1322-1-a) of the Supplement to the Code, 1913, relating to national, state and savings banks, and the assessment and taxation of stock therein, beg leave to report they have had the same under consideration and recommend the same do pass.

CLEM F. KIMBALL, *Chairman.*

Ordered passed on file.

Also:

Your committee on ways and means, to whom was referred Senate File No. 415, a bill for an act amending part four (4) of Section thirteen hundred four (1304) of the supplement to the Code, 1913, regarding exemption from taxed by reason of age or infirmity, 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:

By striking out all after the word "assigns" in line seven and by inserting a "period" after the said word "assigns".

CLEM F. KIMBALL, *Chairman.*

Ordered passed on file.

Senator Wilson, from the committee on judiciary No. 1, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 1, to whom was referred Senate File No. 336, a bill for an act to repeal section 226 of the Code, and to amend section one (1) chapter 198, Acts of the 29th General Assembly, relating to holding terms of the Circuit court Avoca in the county of Pottawattamie, defining the territorial jurisdiction of said court and restricting that of the corresponding court to be held and Council Bluffs in said county of Pottawattamie, and relating to furnishing rooms and places for holding court, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file

Also:

Your committee on judiciary No. 1, to whom was referred House File No. 467, a bill for an act to amend chapter eight-a (8-a) title sixteen (16), supplement to the code, 1913, relating to the care of friendless children and legalizing the surrender of children to the societies designated in said chapter and legalizing the apprenticing and adopting out by such societies, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman.*

Ordered passed on file.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 357, a bill for an act to provide for the levy and collection of tonnage tax on all coal mined and sold in Iowa, by coal mining companies and that the said tax shall be used for the support of schools where miners'

children are educated, beg leave to report they have had the same under consideration and recommend the same do pass.

J. M. WILSON, *Chairman*.

Ordered passed on file.

Senator Edwards, from the committee on county and township affairs, submitted the following report:

MR. PRESIDENT—Your committee on county and township affairs, to whom was referred House File No. 464, a bill for an act to provide for the compensation of bailiffs of district courts, beg leave to report they have had the same under consideration and recommend the same do pass.

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Also:

Your committee on county and township affairs, to whom was referred Senate File No. 130, a bill for an act giving authority to county boards of supervisors to settle controversies between township boards of trustees as to the division of boundary public roads for the purpose of working same; giving to county boards of supervisors authority to compel township superintendents of township roads under certain conditions to work certain pieces of public roads, 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:

Amend by striking out all of section two (2) thereof.

BEN EDWARDS, *Chairman*.

Ordered passed on file.

Senator Fellows, from the committee on educational institutions, submitted the following report:

MR. PRESIDENT—Your committee on educational institutions, to whom was referred Senate File No. 202, a bill for an act making appropriations for the construction of buildings at the State University of Iowa and the Iowa State College of Agriculture and Mechanic Arts, beg leave to report that they have had the same under consideration and recommend the same be referred to the Appropriation Committee without recommendation.

Report adopted and bill referred.

Also:

MR. PRESIDENT—Your committee on educational institutions, to whom was referred Senate File No. 203, a bill for an act making appropriations for the State University of Iowa, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers College, the Iowa College for the Blind, and the Iowa School for the Deaf, 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 be referred to the appropriations committee.

Strike out all after the enacting clause and substitute the following in lieu thereof:

SECTION 1. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, to the State University of Iowa,



the sum of three hundred seventy-one thousand five hundred dollars (\$371,500.00) annually for each year of the biennium beginning July 1, 1919, for the following purposes:

Educational support .....	\$100,000.00
College of medicine .....	50,000.00
College of dentistry .....	10,000.00
College of education .....	10,000.00
Graduate college .....	20,000.00
College of fine arts .....	5,000.00
Summer school .....	20,000.00

Of this amount, \$16,000 is not to be available unless the attendance materially exceeds the enrollment in the 1917 summer school.

Equipment and supplies .....	7,000.00
Repairs and contingent .....	13,000.00
Department of buildings and grounds .....	15,500.00
Administration .....	8,000.00
Library .....	12,500.00
School of commerce .....	25,000.00
Nurses training and public health nursing .....	20,000.00
Soldier tuition .....	30,000.00

Out of this appropriation, the State University is to receive, for each honorably discharged soldier or sailor of the United States who enrolls in any college of the institution, \$10 for each semester and \$10 for each summer school.

University extension for social welfare and public health education .....	\$21,500.00
Epidemiology and laboratory .....	5,000.00

The annual appropriations provided for in this section shall be paid on the order of the Iowa State Board of Education in monthly installments beginning July 1, 1919, with the exception of the appropriation for summer school (\$20,000.00), which shall be available July 1, 1919, and on July 1st of each year thereafter for the biennial period.

Sec. 2. There is further appropriated, out of any money in the state treasury not otherwise appropriated, to the state university of Iowa for the biennium beginning July 1, 1919, the sum of one hundred twenty-five thousand dollars (\$125,000.00) for the following purposes:

Equipment of buildings and buildings partially equipped .....	\$100,000.00
Paving, sidewalks and sewer .....	25,000.00

The special appropriations provided for in this section shall be paid on the order of the Iowa State Board of Education, but not more than one-half of the entire amount shall be available before July 1, 1920.

Sec. 3. 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 three hundred seventeen thousand dollars (\$317,000.00) annually for each year of the biennium beginning July 1, 1919, for the following purposes:

Permanent collegiate support fund .....	\$148,000.00
Summer session .....	5,000.00
Subcollegiate courses in agriculture, home economics and engineering .....	15,000.00

Of this amount, \$12,000 is not to be available unless the attendance materially exceeds that of the academic years 1916-1917.

Contingent fund, repairs and minor improvements.....	4,000.00
Library, books and periodicals .....	10,000.00
Maintenance and improvements of public grounds .....	5,000.00
Soldier tuition .....	30,000.00
	\$217,000.00

Out of this appropriation, the Iowa State College, is to receive for each honorably discharged soldier or sailor of the United States who enrolls in the institution, \$10 for each semester, and \$10 for each summer school, and for industrial service work as follows:

Engineering experiment station .....	10,000.00
Agricultural experiment station .....	75,000.00

\$50,000 of this appropriation is to be used for soils survey work.

Agriculture and home economics extension .....	10,000.00
Trade school and engineering extension .....	5,000.00

Total .....	\$317,000.00
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The annual appropriations provided for in this section shall be paid on the order of the Iowa State Board of Education in monthly installments beginning July 1, 1919, with the exception of the appropriation for summer session (\$5,000.00), which shall be available July 1, 1919, and on July 1st of each year thereafter for the biennial period.

SEC. 4. There is further appropriated out of any money in the state treasury not otherwise appropriated, to the Iowa State College of Agriculture and Mechanic Arts, for the biennium beginning July 1, 1919, the sum of one hundred forty-one thousand dollars (\$141,000.00) for the following purposes:

Equipment and furnishings for buildings and departments....	\$75,000.00
Enlargement of buildings and small additional buildings .....	20,000.00
Extension of heating system and equipping of heating plant..	26,000.00
Sewer construction .....	5,000.00
Repairs and improvements of stock barns, judging pavilions, and fences .....	15,000.00

The special appropriations provided for in this section shall be paid on the order of the Iowa State Board of Education, but not more than one-half of the entire amount shall be available before July 1, 1920, with the exception of the appropriation for sewer construction, (\$5,000.00), which is to be available July 1, 1919.

SEC. 5. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, to the Iowa State Teachers College, the sum of one hundred fifty-four thousand five hundred dollars (\$154,500.00) annually for each year of the biennium beginning July 1, 1919, for the following purposes:

Teachers fund .....	\$ 50,000.00
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Of this amount, \$10,000 is not to be available unless the attendance, not including the summer school, materially exceeds the enrollment of the academic years 1916-1917.

Summer term fund .....	4,000.00
Contingent and repair .....	49,500.00
Library .....	5,000.00
Librarian's Salary fund .....	3,000.00
Hospital fund .....	3,000.00
Extension service fund .....	20,000.00
Extension summer schools .....	20,000.00

The annual appropriations provided for in this section shall be paid on the order of the Iowa State Board of Education in monthly installments beginning July 1, 1919, with the exception of the appropriations for summer term, (\$4,000.00) and for extension summer schools (\$20,000.00), which amounts are to be available July 1, 1919, and on July 1st of each year thereafter for the biennial period.

SEC. 6. There is further appropriated, out of any money in the state treasury not otherwise appropriated, to the Iowa State Teachers College, for the biennium beginning July 1, 1919, the sum of five thousand dollars (\$5,000.00) for the following purpose:

Paving and sidewalks .....	\$ 5,000.00
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The special appropriation provided for in this section shall be available July 1, 1919, and be paid on the order of the Iowa State Board of Education.

SEC. 7. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, to the Iowa College for the Blind, the sum of sixteen thousand dollars (\$16,000.00) annually for each year of the biennium beginning July 1, 1919, for the following purposes:

Support fund .....	\$15,000.00
Repair and contingent fund .....	1,000.00

The annual appropriations provided for in this section shall be paid on the order of the Iowa State Board of Education in monthly installments beginning July 1, 1919, for the biennial period.

SEC. 8. There is further appropriated, out of any money in the state treasury not otherwise appropriated, to the Iowa College for the Blind, for the biennium beginning July 1, 1919, the sum of twelve thousand dollars (\$12,000.00) for the following purposes:

Piano and furniture .....	\$ 5,000.00
Sundry improvements .....	5,000.00
Equipment .....	1,500.00

The special amounts provided for in this section shall be available July 1, 1919, and be paid on the order of the Iowa State Board of Education.

SEC. 9. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, to the Iowa School for the Deaf, the sum of ninety thousand, five hundred dollars (\$90,500.00) annually for each year of the biennium beginning July 1, 1919, for the following purposes:

Support fund .....	\$ 90,000.00
Scholarships .....	500.00

The annual appropriations provided for in this section shall take the place and be in lieu of all other appropriations for support which have been made to the Iowa School for the Deaf prior to the convening of the 33th General Assembly; and they are to be paid on the order of the Iowa State Board of Education in monthly installments beginning July 1, 1919, for the biennial period.

SEC. 10. There is further appropriated, out of any money in the state treasury not otherwise appropriated, to the School for the Deaf, for the biennium beginning July 1, 1919, the sum of seventy-four thousand dollars (\$74,000.00) for the following purposes:

Reservoir for storage of water .....	\$ 1,500.00
Library and book binding .....	500.00
Additional coal bins .....	2,000.00
Improvement of main building .....	12,500.00
Equipment .....	5,000.00
Improvement of green house .....	2,500.00
Cottage for small children .....	50,000.00

The special appropriations provided for in this section shall be available July 1, 1919, and be paid on the order of the Iowa State Board of Education.

A. M. FELLOWS, *Chairman.*

Referred to committee on appropriations.

Senator Kingland, 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 a resolution proposing an amendment to the constitution of the State of Iowa authorizing cities to acquire by gift, purchase or condemnation, lands for establishing, laying out, widening, enlarging, extending, and maintaining memorial or art grounds, streets, squares, parkways, boulevards, parks, playgrounds, sites for public buildings, and reservations in and about and along and leading to any or all of the same; with the right after the establishment, laying out and completion of such improvement to lease or convey any excess thus acquired and not necessary for such improvement, with or without reservations as to the use thereof; and authorizing the issuance of bonds to supply the funds in whole or in part to pay for the excess so appropriated or otherwise acquired, beg leave to report they have had the same

under consideration and recommend the same be reported back without recommendation.

T. A. KINGLAND, *Chairman*.

Ordered passed on file.

#### AMENDMENT FILED.

Senator Buser filed the following amendment:

MR. PRESIDENT—I move to amend Senate File No. 496 by striking out all after the enacting clause and substituting in lieu thereof the following:

SECTION 1. It is the intent of this act to divide the highways of the state and of each county into a primary and secondary system, to provide for the substantial and durable improvement of such primary roads of each county, to pay for said improvements on such primary roads from federal aid funds, motor vehicle registration fees, and from the proceeds of assessments on benefited real property, to permit each county to anticipate such funds if it chooses so to do, to divert other existing highway funds to the construction and maintenance of the secondary system of roads, to secure the benefit of all present and future acts of the government of the United States which proffer financial aid to the state of Iowa in the construction and maintenance of highways, and to coordinate the system herein created with the requirements of said federal government relative to such improvements. This act shall be construed as additional to and not in repeal of chapter 249 of the acts of the thirty-seventh general assembly of the state of Iowa.

Sec. 2. The state highway commission is empowered, on behalf of the state, to enter into any arrangement or contract with, and required by, the duly constituted federal authorities, in order to secure the full cooperation of the government of the United States, and the benefit of all present and future federal allotments in aid of highway construction or maintenance. The good faith of the state is hereby pledged to cause to be made available each year, sufficient funds to equal the total of any sums now or hereafter apportioned to the state for road purposes by the United States government and to maintain the roads constructed with said funds. The board of supervisors of each county is empowered to enter into any arrangement or contract with, and required by, the state highway commission, in order to fully carry into effect the provisions of this act.

Sec. 3. The highways of the state are, for the purpose of this act, divided into two systems, to-wit: the primary road system and the secondary road system. The primary road system shall embrace those main market roads (not including roads within cities), which connect all county seat towns and cities and main market centers, and which have already been designated under section 2 of chapter 249 of the laws of the thirty-seventh general assembly of the state of Iowa, known as the fed-

eral aid road act; provided, that the said designation of the roads shall, for more efficient service to all parts of the county or more economical construction of the system and with the consent of the federal authorities, be subject to the revision by the county board of supervisors for the purpose of securing a more serviceable distribution thereof over the county, which change shall be subject to the correction and approval of the state highway commission; but no material change in distribution shall be made without the approval of a county board of supervisors. Any portion of said primary system so eliminated by any change shall revert to and become a part of the system from which originally taken. The state highway commission may, for the purpose of affording access to state parks and recreation centers within a county, add such road or roads to the primary system of said county as the board of supervisors may specifically designate and request.

The secondary road system shall embrace all roads not embraced in the primary system and not embraced within the limits of cities or towns. Roads embraced in the secondary road system shall continue to be classed as at present, as county roads or township roads as the case may be.

SEC. 4. There is hereby created a fund which shall be known as the primary road fund, which shall embrace the federal-county-co-operation road fund as created by chapter 249 of the laws of the thirty-seventh general assembly, all additional and future federal aid road funds, and two-thirds of and an additional amount, if necessary, sufficient to provide funds to meet the requirements of all federal aid road building appropriation acts as applicable to the state of Iowa, all other funds derived from year to year by the state or counties under acts regulatory of motor vehicles commencing with and including all fees for the year 1920 except such portion of said motor vehicle fund as shall be necessary to maintain the federal aid engineering fund, and as may, by law, be retained in the state treasury as a maintenance fund for the state highway commission or as a fund to cover administration of the motor vehicle department. Said primary road fund shall be apportioned to the respective counties in the ratio that the area of the county bears to the total area of the state, and shall be employed as herein provided, solely in the drainage, grading, hard surfacing and maintenance of the roads of the primary road system. The portion of said fund apportioned to each county as above provided, is hereby pledged to the completion of said primary system and is dedicated by the state to the county, to be used solely for the payment of the cost of such improvements or the maintenance thereof, and for the redemption of any bonds issued therefor as herein provided. For the purposes of administration, the apportionment to any county may be made up partly from the federal aid road allotments.

SEC. 5. The state highway commission shall open an account with each county in the state in relation to the primary road fund, and shall first credit each county with any unused portion of the allotment of the federal-county-co-operation road fund, as shown by the official supplementary bulletin of the state highway commission of June, 1917, and

designated as "Volume V, No. 6", and shall each year credit each county with its allotted portion of the primary road fund, and charge it with the amount of all duly and finally approved vouchers for claims properly chargeable to said county. Said account shall also show the amount of each separate authorization of bonds or road certificates hereunder, and the amount, number, date, maturity, and interest rate of each series of bonds or certificates actually issued by the county under this act. The said commission shall, at all proper times, keep each county fully informed as to the state of its account.

SEC. 6. Each county, acting through its board of supervisors, shall have three options in the expenditure of its allotments from the primary road fund;

First, it may elect to complete the grading and drainage of any part or all of the primary roads within the county before laying any hard surfacing or graveling; or

Second, it may hard surface or gravel, in any one year, such portion of the roads in the primary system in its county as may be met by its allotted portion of the primary road fund for said year, plus any balance remaining to its credit from previous allotments, plus the special assessments on abutting and adjacent real estate as hereinafter provided; or it may proceed in any one year with draining and grading one or more divisions of the primary system and with hard surfacing or graveling on other divisions of said system.

Third, it may proceed with said hard surfacing in a more rapid manner when authorized to do so by the voters of the county as hereinafter set forth, provided no hard surfacing or graveling shall be constructed on any division of the primary roads until the drainage and grading of said division shall have been fully completed.

SEC. 7. For the purpose of creating a basis for a systematic program for improvement, the board of supervisors of each county, in connection with the county engineer, shall, as soon as may be reasonably possible after the taking effect of this act designate into divisions the roads of the primary road system within their county, with a view of the most advantageous program of improvement, having in view the development of the primary roads in the county in such order as will best and most fairly meet the convenience of the public, viewing the county as a whole. Different portions of primary roads which diverge from a common point may be so designated into divisions that the several divisions immediately adjacent to the common point will constitute an approximate district. Said divisions shall be suitable designated on a map filed with the state highway commission, and shall be recorded by the county auditor in the proceedings of the board, and shall be final, except that the board may, under changed or better conditions, modify such record in order to attain more advantageous results in cost. No division established by the board of supervisors shall embrace roads or streets within a city.

SEC. 8. When the board of supervisors of any county shall decide to begin the improvement of any division of said primary road system, it shall, on or before the first day of August of any year, by a resolution filed with the state highway commission, specify the divisions or divisions of the primary road system in said county which they desire to improve hereunder. Said resolution shall indicate the program of improvement for the ensuing year or years, and shall specify the funds available or the method proposed to finance the cost of such improvements. If the resolution filed with the state highway commission embraces the hard surfacing of any division of primary roads, the same shall be accompanied by a proposed assessment district for each division in the form of an engineer's plat. Each district shall be clearly designated by some appropriate and distinctive name and number, such, for instance, as "Correctionville Road, District No. 1". Portions of primary roads which diverge from a common point may be included within one district. No district established by the board of supervisors shall embrace real estate within a city, but no proceedings for an improvement which embraces a road or street of a town shall be affected by the fact that subsequent to the establishment of the district, and before the completion of the improvement, such town becomes a city by change in population. All real estate lying upon and immediately adjacent to each side of the highway, and constituting two continuous zones each three hundred twenty rods in width, measured from the center of the highway, shall be included within each district. The board of supervisors may increase the width of either of said zones by extending the outer boundary thereof for a distance of not to exceed one hundred sixty rods. If either of the zones first mentioned be increased in width, the outer boundary of such increase may follow governmental or other well defined lines; and if any part of a governmental forty-acre tract, or less, is within four hundred eighty rods of the center of the road, then and in such case the entire forty acres or less may be included within the district. Should the center of the highway be less than four hundred eighty rods from an interstate boundary line, or river which acts as such interstate boundary, then the zone adjacent to such line or river may extend to such line or river. Should travel to or from such highway to real estate within either of said zone be wholly barred by a natural or artificial barrier, the board of supervisors may wholly exclude such real estate, or any portion thereof, from such assessment district, or may otherwise meet the difficulty by making a nominal assessment on said real estate. Provided that after the assessment district or districts are formed and an engineer's plat filed with the county auditor therefor, the County Board of Supervisors shall cause to be published, in one of the official newspapers of the county, a notice setting a date and calling an election at some centrally located place in the improvement district or districts, stating the hours upon which the polls will be open and the questions to be voted upon. It shall be the duty of the county auditor to have prepared ballots upon which are stated propositions to be voted upon. No one shall have a right to vote at said election but the qualified electors residing in such im-



provement district or districts as are embraced in the resolution. The election shall be conducted by the township trustees of the township or if the district or districts include more than one township by such trustees as shall be designated by the county auditor to constitute an election board of three. Such election shall be carried on in the same orderly manner as is prescribed for general elections. After the closing of the polls the said election board shall proceed to count the ballots and shall make a record thereof, showing the result of the election which result shall with the ballots be certified by the election board and filed with the county auditor. If a majority of all the votes cast upon the proposition or propositions are in favor of the same the county board shall proceed in the manner heretofore provided. If the majority of the votes cast are opposed to the proposition or propositions voted upon the improvement shall not be made but may again be re-submitted, after the expiration of one year, upon the filing of a petition containing the signatures of twenty per cent. of the qualified electors, of the district or districts affected, with the county auditor asking for re-submission of the question.

SEC. 9. The said commission shall examine said project, and before approval shall have power to so modify the same as to comply with this act. Upon the approval of said resolution by the state highway commission, the said district or districts, as proposed by the board, shall be deemed finally established, and said establishment shall carry a presumption that all real estate embraced therein will be benefited in some amount by said improvement. Upon the final establishment of said district or districts as above provided, the board of supervisors shall cause to be entered and published in the minutes of its proceedings, a description of all real estate embraced within each district. Such description may be by any legal description, but the failure to strictly comply with said direction as to such entry and publication shall not affect the validity of the proceeding.

SEC. 10. When the resolution has been finally approved the county board of supervisors shall cause to be made by the county engineer proper surveys, plans, specifications, and estimates for such improvement, under the direction and supervision of the highway commission, which plans, specifications and estimates shall be finally approved by the board and the commission, and filed with the county auditor, and the work shall be done in accordance therewith, except in so far as the same may be modified by the commission to meet unforeseen or better understood conditions, and no such modifications shall be deemed an invalidating matter and shall in no way change the kind of surfacing designated in the resolution. Such plans and specifications may provide, as a part of said hard surfaced roadway (and to be computed as a part of the cost thereof), for such shoulders of gravel or other material as may be necessary to protect the roads thereof and to facilitate travel thereover.

SEC. 11. As soon as the approved plans and specifications are received by the board of supervisors, they shall proceed to advertise for bids for the construction of said improvement. Each bid shall be accompanied

by a sworn statement by the bidder, or by a partner or officer thereof, which shall show the name and address of each director, officers or partner of such bidder. No contract shall be let to any state or county official, elective or appointive, nor to any relative of such state official, nor to any partnership or corporation in which such state official or relative thereof is financially interested. No contract shall be let to any partnership or corporation in which a county officer of the contract county, or relative of such county officer, is financially interested. The letting of a contract in violation of the foregoing provisions shall not invalidate the contract, nor any bonds thereunder, but upon discovering such violation, the board of supervisors or the state highway commission may terminate the contract, and such violation in case of such termination shall be a complete defense to any action by the contractor to recover any consideration due or earned under the contract at the time of such termination. In the award of contracts, due consideration shall be given not only to the prices bid, but to the mechanical and other equipment, and financial responsibility of the bidder and his ability and experience in the performance of like or similar contracts. The board may reject any or all bids and may re-advertise for bids, or, with the written consent of the state highway commission, may let by private contract, or with such consent may proceed to the construction by day labor at a cost not to exceed the price bid by the lowest bona fide responsible bidder. In any event, all contracts entered into under the provisions of this act shall be approved by the state highway commission before they shall become effective. The form and conditions of all contracts, the form and conditions of all bonds taken or required for the full performance or maintenance of all work, shall be prescribed by the state highway commission.

SEC. 12. The state highway commission is expressly charged with the duty of controlling the supervision, inspection and direction of the work of construction on behalf of the state and its counties, and of supervising the expenditure of all funds paid on account of such work by the counties of the state, and it shall do and perform all other matters and things necessary to the faithful completion of the improvements herein authorized, and to fully carry out the co-operation contemplated and provided by the said federal aid road act. All engineers or inspectors having responsible charge of any improvement shall give bonds for the faithful performance of their duties and for like accounting of all property entrusted to their custody. All bonds given by such engineers or inspectors in the employ of the state highway commission shall be deemed to embrace any and all improvements of which they may be in charge.

SEC. 13. Claims for draining, grading and graveling shall be paid wholly from the county's allotment of the primary road fund. Claims for hard surfacing, in case the county is proceeding without bond issue, shall be paid to the extent of seventy-five per cent of the total cost of such hard surfacing, from the county's said allotment, and the balance shall be paid with special assessment or road certificates, or with the proceeds thereof. Claims for hard surfacing, in case the county is improving with the proceeds of a bond issue, shall be paid, first, from the county's said allotment then available, or from any balance of said allotment re-

maining after the retirement of bonds and from the proceeds of special assessments, and second, out of such bond fund of the county. All claims shall be itemized upon voucher forms prepared by the state highway commission, sworn to by the claimants, certified to by the engineers in charge, filed with and audited by the board of supervisors, and then forwarded to the state highway commission for final audit and approval. Upon the final approval of vouchers which are payable from the county's allotment of the primary road fund, such vouchers shall be forwarded to the auditor of state, who shall draw warrant therefor, and said warrant shall be paid by the treasury of state from the primary road fund. Duly approved voucher claims, payable at the office of the county treasurer, shall be forwarded by the state highway commission to the county auditor, who shall issue warrant therefor, and the county treasurer shall pay the same with special assessment or road certificates, or from the proceeds thereof, or from the bond fund, as the case may be. Partial payments may be made on work during the progress thereof, but no such partial payment shall be deemed final acceptance of the work nor a waiver of any defect therein.

Sec. 14. A board of apportionment of three resident freeholders of the county shall be appointed by the board of supervisors to apportion all special benefits to real estate within each district, but the same board of apportionment may act for more than one district. No person shall serve on such board if he lives or owns real estate within the district for which he is to act. Whenever the total expense of such improvement within said district has been approximately determined, said board of apportionment shall, with all reasonable dispatch, personally inspect and classify in some uniform manner, and under some intelligent description, and in a graduated scale of benefits, all real estate within said districts. Said classification, when finally established, shall remain as a basis for all future assessments to cover deficiencies, if any, unless the board of supervisors, for good cause, shall authorize a revision thereof. Said board of apportionment shall, among other relevant and material matters, if any, give due consideration to the fair market value per acre of each of the different tracts of real estate, to their relative location and productivity, and to their relative proximity and accessibility to the said improvement. They shall, in writing, and to the different described tracts of real estate within said district, make an approximately equitable apportionment of twenty-five per cent of the total expense of said improvement. In making said apportionment, real estate owned by the state or any county shall be treated as other real estate, but no other publicly owned real estate shall be included, and in apportioning benefits to real estate owned by the county or state no consideration shall be given to the buildings thereon. Said apportionment report shall specify each tract of real estate by some intelligent description, the amount apportioned thereto, and the ownership thereof, as the same appears on the transfer books in the auditor's office, and shall be filed with the county auditor. Said apportionment shall carry the presumption, in the absence of a contrary showing, that the same is fair, just, equitable, and in proportion to benefits and not in excess thereof. Upon receipt of said apportionment, the county auditor shall fix a day for hearing before the board of supervisors, and cause notice to be served upon each person whose name appears in

said apportionment, report or in any recommendation accompanying the same, as owner, and also upon the person or persons in actual occupancy of any such real estate, which notice shall state the amount of special assessments apportioned to each tract, the day set for hearing before the board of supervisors, that at said hearing any apportionment may be increased without farther notice, that (if such be the case) the board of apportionment has recommended that specified additional tracts of real estate not otherwise prohibited by the provisions of this act, should be included within said district, and that specified sums should be apportioned thereto to defray the cost of said improvement, and that all objections to said report, or any part thereof, by reason of any irregularity in prior proceedings, or by reason of any irregularity, illegality, or inequality in making such apportionment, must be specifically made in writing and filed with the county auditor on or before noon of the day set for such hearing, and that a failure to so make and file such objections will be deemed a conclusive waiver of all such objections. The county auditor shall cause such notice to be published in at least one of the official newspapers of the county once each week for two consecutive weeks, the last of which publications shall be not less than five days prior to the day set for said hearing. Proof of such service shall be made by affidavit of the publisher and be filed with the county auditor. Omission to serve any party with notice herein provided, shall work no loss of jurisdiction on the part of the board over such proceeding, and such omission shall only affect the persons upon whom service has not been had, and if, before or after the board has entered its final order in apportionment proceedings, it be discovered that service of said notice has not been had on any necessary person as herein provided, the board shall cause such service to be then made, either by publication or by actual written notice, and shall thereafter proceed as to such person as though such service had been originally complete. The appearance of any interested party, either in writing or personally, or by authorized agent, either before the board of supervisors or before the state highway commission at any stage of a pending proceeding for the hard surfacing of the highways of a district, shall be deemed a full appearance. Only interested parties or their attorneys or agents shall have the right to appear before the board of supervisors in proceedings provided for in this act, and all persons so appearing shall be required to state for whom they appear, and the clerk of the board shall make definite entry accordingly, in the minutes of the board. The state highway commission shall prescribe standard forms for apportionment reports and notice of hearings thereon. Each member of the board of apportionment shall be paid in full for all services, at the rate of five dollars per day of actual service, and ten cents per mile for each mile necessarily traveled in the performance of his duties, and bills therefor, duly sworn to and itemized, shall be returned to the board of supervisors with the report of the apportioners.

SEC. 15. Should the board of apportionment be satisfied from its investigation, that certain tracts of real estate have been omitted from said district, and that such omitted tracts ought to bear an equitable portion of the expense of such improvement, and are, as to any part thereof,

within four hundred eighty rods of said improvement, and not embraced within any other primary road district, they shall proceed in the following manner, to-wit:

First, they shall make and return their apportionment report to the board of supervisors, on the presumption that no real estate will be ultimately assessed, except the real estate which is embraced within the district as then constituted and established.

Second, they shall accompany their apportionment report with a definite list of the heretofore mentioned tracts of real estate, which ought, in their judgment, to be within said district, but which have been omitted therefrom, and shall definitely state the amount which, in their judgment, each such omitted and described tracts ought to equitably bear toward the cost of the improvement. The board of supervisors on the final hearing of said apportionment report, shall pass on said recommendation, and may wholly reject or wholly approve the same, or may reject in part and approve in part, or may approve wholly or in part, with modification. If the recommendation be approved and adopted in any part, the board shall enter an order changing the boundaries of the district accordingly, and notify the state highway commission of said change, and shall adjust the final apportionment in accordance therewith.

Sec. 16. The final hearing on said apportionment report may be adjourned from time to time without loss of jurisdiction on the part of the board. On such final hearing the board shall hear and determine all objections filed, and may increase, diminish, annul or affirm the apportionment made in said report, or any part thereof, as may appear to the board to be just and equitable. On the final determination, the board shall levy such apportionment and all installments thereof upon the real estate within said district, as finally established, and said assessment and all installments thereof shall be then due and payable, and bear interest at six per cent per annum from said date; provided, that if any owner, other than the state or county, of any said tracts of land shall, within twenty days from the date of said assessment agree, in writing filed in the office of the county auditor, that in consideration of his having the right to pay his assessment in installments, he will not make any objection of illegality or irregularity as to said assessment upon his said real estate, and will pay the same with six per cent interest thereon; then and in that case, said assessment shall be payable as follows: In ten equal installments, the first of which, with interest on the whole assessment from the date of levy, shall mature and be payable on the date of such agreement, and the other installments, with interest on the whole amount unpaid, annually thereafter, at the same time and in the same manner as the March semi-annual payment of ordinary taxes. Where no such agreement is executed, then the whole of such special assessment so levied shall mature at one time and be due and payable with interest from the date of levy, and shall be collected at the next succeeding March semi-annual payment of ordinary taxes. All such taxes shall become delinquent on the first day of March next after their maturity, shall bear the same interest, the

same penalties and be attended with the same rights and remedies for collection, as ordinary taxes. An owner of land who has availed himself of said ten-year option may at any time discharge his assessment by paying the balance then due on all unpaid installments, with interest on the entire amount for thirty days in advance. Assessments against lands owned by the state or county shall be due and payable from the date of levy by the board of supervisors, or in the case of any appeal, from the date of final confirmation of the levy by the court. In case of assessment on lands owned by the county, the same shall be paid from the county general fund. In case of assessments on land owned by the state, the same shall be represented by a voucher, duly audited as heretofore provided, and the state auditor shall draw warrant therefor and make the same payable out of any funds in the state treasury not otherwise appropriated.

SEC. 17. In case an assessment as originally made, should later be found to be insufficient to pay one-fourth of the total cost of the improvement, an additional assessment may be made in the same relative ratio as the original assessment, to meet the deficiency. In case an assessment appears to be invalid or, in the judgment of the board, seriously defective, the board of supervisors may proceed to the making of a new assessment as though no assessment had ever been made.

SEC. 18. Special benefit assessments shall be levied for an amount which, in the aggregate, shall equal twenty-five per cent of the total cost of hard surfacing, and sums expended for drainage, grading, bridging and culverting shall not be computed as part of said cost, except that the cost of such draining and grading as is purely incidental to the construction of said hard surfacing may be included in the cost thereof. No real estate under any circumstances, though embraced within more than one road assessment district upon the Primary or Secondary road system shall be specially assessed for the original cost of hard surfacing in an amount which in the aggregate shall exceed \$5,000 per linear mile for each linear mile or fraction thereof of road to be improved in the assessment district, and no parcel or tract of real estate shall be assessed in an amount exceeding four per cent of the fair market value thereof. Any deficiency in the said twenty-five per cent of the total cost, occurring by reason of said four per cent limitation, shall be paid from the county's allotment of the primary road fund.

SEC. 19. Any owner of land may appeal to the district court from the order of the board of supervisors in levying the assessment against his real estate, by filing with the county auditor within fifteen days from the date of such levy, a bond conditioned to pay all costs in case the appeal is not sustained, and a written notice of appeal wherein he shall, with particularity, point out the specific objection which he desires to lodge against such levy. The appearance term shall be the trial term, and said appeal shall have precedence over all other business of the term except criminal matters. The appeal shall be heard as in equity or at law if appellant demands and the court or jury may raise or lower the assessment in question and make an equitable

assessment in the judgment of the court. The clerk of the district court shall, upon the entry of the final order of the court, certify such final order to the county auditor, and the board of supervisors shall at once so adjust the assessments as to comply with such final order.

SEC. 20. When an appeal is taken, the county auditor shall at once make a transcript of the notice of appeal and appeal bond, and transmit the same to the clerk of the district court. The appellant shall, on or before the first day of the first term of the court, after taking said appeal, docket said appeal and file a petition setting forth the order or decision of the board of supervisors appealed from and his specific objections thereto. A failure to comply with either of these requirements shall be deemed a conclusive waiver of the appeal, and in such case, the court shall dismiss the same. Appellee need not file answer, but may do so.

SEC. 21. When the board of supervisors has entered its final order as to the amounts of all special assessments on a given improvement, the county auditor shall at once certify a list of such assessments and a list of the real estate upon which each assessment has been levied, with the specific designation of the district embracing such real estate, to the county treasurer, who shall enter each assessment upon the tax books and continue such entry until such assessment is paid. Each special assessment and all installments thereof shall be a lien upon the real estate upon which it is levied from the date of such certification by the county auditor, to the same extent and in the same manner as taxes levied for state and county purposes. Changes in the amount of any special assessment by reason of any ruling of the district court on appeals, shall be likewise certified and the county treasurer shall make the proper corrections on his books.

SEC. 22. Each assessment district shall be considered a unit and all funds received by the county treasurer for and on behalf of the hard surfacing of such unit shall be carried as a distinct and separate account and under the same specific name as that used by the board in establishing such unit.

SEC. 23. In order to render immediately available that amount of the cost of an improvement which has been specially assessed, the board may issue road certificates in the name of the county in an aggregate amount not exceeding the then unpaid amount of the special assessment levied in said district. Each issue of certificates shall be under, and in accordance with, a duly adopted resolution of the board which shall be entered at large in the minutes of the proceedings of the board, and which shall recite: (1) the name or designation of the road district on account of which the certificates are issued; (2), that a stated amount (naming the amount) has been specially assessed against the lands within said district; (3), that a stated amount of said aggregate special assessment has not yet been paid (naming said unpaid amount); (4), that it is necessary to render said unpaid amount immediately available; (5), the number of road certificates authorized and the specific amount of each certificate; (6), the specific numbering or designation of each certificate; (7), the rate of interest which each certificate shall bear from date, to-wit, not to exceed

six per cent per annum; (8), the fact that said certificates are payable solely from the proceeds of the special assessments which have been levied on the lands within said district; (9), that each certificate shall be payable on or before the first day of January of the first year following the maturity of the last installment of said special assessments, and that interest thereon shall be paid annually; (10), the authorization to the chairman of the board, and to the county auditor respectively, to sign and countersign each of said certificates. Upon the signing of each of said certificates by the chairman of the board, said certificates shall be delivered to the county auditor, who shall countersign the same, charge the county treasurer with the amount thereof, and deliver the same to such latter officer, who shall be responsible therefor on his bond. The treasurer may apply said certificates in payment of any warrants duly authorized and issued for hard surfacing the roads within said district, or he may sell the same for the best attainable price and for no less than par plus accrued interest and apply the proceeds in payment of such authorized warrants. Said certificates shall be retired in the order of the consecutive numbering thereof. The county treasurer shall, on or in connection with the road account for said district, clearly enter the name and post office address of all persons to whom any of said certificates are issued, with a particular designation of the certificates delivered to each person. Any subsequent holder may present his certificates to the county treasurer and cause his name and post-office address to be entered in lieu of that of such former holder. Whenever the fund for such particular district has money sufficient to pay the first refundable certificate or certificates, the county treasurer shall, by mail, as shown by his records, promptly notify the holder of such certificate of such fact, and from and after the mailing of such letter all interest on such certificate shall cease.

Sec. 24. The board of supervisors of any county which is proceeding with the drainage, grading and hard surfacing of its roads without the aid of a bond issue, may, by the issuance of road certificates, anticipate the annual allotment of the primary road fund for said county, for the current and succeeding year. Such certificates shall be authorized by a duly adopted resolution which shall specify, (1) the allotment or allotments which are to be anticipated, (2) the amount of certificates authorized, which amount for any such anticipated year shall not exceed a sum equal to ninety per cent of the county's allotment for the year preceding that in which the authorization is made, (3) the denominations of each certificate, (4) the rate of interest which each certificate shall bear, which shall not exceed six per cent per annum, payable annually, and (5) the authorization of the chairman of the board of supervisors and of the county auditor, respectively, to sign and countersign such certificates. Each certificate shall recite the allotment of which it is anticipatory, and shall be payable on or before the last day of the year for which such allotment has been anticipated, and shall recite that it is payable solely from the future proceeds of the county's allotment of the primary road fund. The record of such certificate by the county auditor, the receipt, record, handling and disbursement of the same by the county treasurer, and the latter's responsibility therefor, shall be the same as provided herein for road certifi-



certificates issued for special assessments shall stand pledged for the payment of such certificates and shall be used for no other purpose. As soon as said anticipated allotment is available to the county, the state highway commission shall notify the county treasurer of such fact, and the county treasurer shall at once forward to the said commission the canceled vouchers which were paid from the proceeds of the certificates issued in anticipation of such allotment, and thereupon the said commission shall forward to the state auditor, in favor of the county treasurer, a voucher for the amount of said cancelled claims with interest thereon sufficient to balance the interest on an equal amount of certificates to the first day of the next succeeding month. The auditor of state shall issue his warrant for said amount and the treasurer of state shall pay the same out of the primary road fund. The county treasurer immediately upon receipt of said funds, shall notify the holders of said certificates that said certificates will be met on presentation, and from and after the mailing of said notice, interest on said certificates shall cease. Said funds so received shall be used solely for the purpose of retiring said certificates. If, for any reason, the amount realized from anticipated allotment be insufficient to meet the legally issued certificates, the deficiency shall be met from the county's first accruing allotment thereafter.

Sec. 25. If any county desires to hasten the drainage and grading or the hard surfacing of the primary roads of its county at a more rapid rate than would be accomplished by merely employing each year its allotted portion of the primary road fund for said year, it may proceed as follows: The board may submit to the voters of the county at a general election, or at a special election called by the board for such purpose, the question of issuing bonds for the purpose of raising funds to meet the cost of such work, and to provide for the retirement of such bonds and interest thereon. Special elections shall be conducted in the same manner as general elections are conducted. Said questions shall be set forth on the ballots substantially as follows: "Shall the board of supervisors be authorized to issue bonds from year to year, in the aggregate amount not exceeding .....dollars, for the purpose of providing the funds for hard surfacing the primary roads of the county, and to levy a tax on all the property in the county from year to year not exceeding .....mills in any one year, for the payment of the principal and interest of said bonds, provided, however, that the annual allotments to the county of the primary road fund shall be used to retire said bonds as they mature, and only such portion of said tax shall be levied from year to year as may be necessary (1) to pay the interest annually, and (2) to meet any deficiency, if any, between the amount of the principal of the bonds and the said allotments from the primary road fund, together with assessments on benefited property provided by law." Immediately to the right of said proposition shall appear two squares of appropriate size, one above the other. Immediately after the first square shall appear the word "yes". Immediately after the other square shall appear the word "no." The voter shall indicate his vote by a cross in the appropriate square. The returns of said elections shall be canvassed by the board, and its findings shall be entered at large in the minutes of its proceedings. No proceedings to test or review the

legality or correctness of said election shall be maintainable unless instituted within thirty days after the findings of the board have been entered upon the record. The fact of each authorization of bonds by a county shall be at once certified by the county auditor to the state highway commission, with such data relative thereto as the commission may demand; provided no bond issue authorized by the provision of the act shall anticipate the revenue from the county's allotted portion of the primary road fund for a period of more than ten (10) years.

Sec. 26. If a majority of the votes be in favor of such issue of bonds and tax levy, the board shall from time to time, as necessary to meet the construction cost and expenses incidental thereto, not provided for by funds immediately available from the primary road fund, or from proceeds of special benefit assessments heretofore provided for, issue serial bonds in denominations of five hundred dollars or one thousand dollars each, and at a rate of interest, payable annually, not exceeding five per cent per annum. Bonds and annual interest thereon shall mature on the first day of May. Each bond shall provide that the same shall be payable at the option of the county, on any interest payment date on or after five years from the date of the bond. No bonds shall be sold for less than par value plus accrued interest. No bonds shall be issued with maturity date postponed more than fifteen years.

Sec. 27. If a majority of the voters be in favor of such bond issue and tax levy, the board of supervisors shall, each year thereafter during the life of the bonds levy on all the property of the county such part of such authorized tax as will clearly meet (1) the matured or maturing interest for the ensuing year on all such outstanding bonds, and (2) any amount of maturing principal of bonds, provided, however, that only so much of said tax shall be levied in any year for principal of said bonds, if any, as cannot be met (a) by the county's allotment of the primary road fund available for such ensuing year, and (b) by the proceeds of special assessments on benefited property.

Sec. 28. All bonds issued under the provisions of this act shall be issued in serial form. Each issue shall be authorized by a duly adopted resolution of the board, which resolution shall be entered at large in the minutes of the board. Such resolution shall clearly specify the number of bonds authorized, the amount of each bond, the number or designation of each bond, the rate of interest which each bond shall bear from date, which interest shall not exceed five per cent per annum, payable annually, the date of maturity of each bond, and the authorization to the chairman of the board to sign, and to the county auditor to countersign, the same. When signed and countersigned, the county auditor shall charge the county treasurer with the amount of same and deliver the same to the county treasurer, who shall be responsible therefor on his bond. The county treasurer shall, when so directed by the board, apply any part or all of said bonds in payment of any warrants duly authorized and issued for the particular purpose for which such bonds are issued, provided the same are applied, for at least par of such bonds plus all accrued interest, or the county treasurer shall, when so directed by the board, advertise and sell

any part or all of said bonds for the best attainable price, and for not less than par plus all accrued interest, and apply the proceeds wholly for a like purpose. Said advertisement shall be inserted once a week for at least two weeks in one official county paper in the county, and for a like period in at least one newspaper of general circulation throughout the state, and may include one or more periodicals devoted to the interest of investors. Bonds of each series shall be retired in the order of the issuance of each series. The county treasurer shall, in disposing of said bonds, keep an accurate record of the name and post office address of all persons to whom any of said bonds are issued, with a particular designation and description of the bonds delivered to each person. Any subsequent holder of any of such bonds may present the same to the county treasurer and cause his name and post office address to be entered in lieu of such former holder. Whenever the fund from which such bonds are payable is sufficient to pay the legally retirable series of any issue of bonds, the county treasurer shall, by mail, as shown by his records, promptly notify the record holder thereof of such fact, and from and after the expiration of twenty days from the mailing of such notice, all interest on such bonds shall cease. If bonds are presented and paid prior to the expiration of such time, interest shall be computed only to the time of such presentation and payment. Bonds, and road certificates (whether issued in anticipation of special assessments or in anticipation of annual allotments of the primary road fund), shall not be taxed.

Sec. 29. The county auditor shall certify to the state highway commission a correct copy of each resolution which authorizes the issuance of bond or road certificates which are anticipatory either of special assessments or annual allotments, and from time to time a like certificate as to the actual issuance of bonds or road certificates, under such resolution, together with such data relative thereto as the commission may demand.

Sec. 30. Whenever available funds created under this act are not needed for pending or contemplated improvements, the board of supervisors may, with the consent of any holder of immatured bonds, retire the same by purchase at a price not exceeding par and accrued interest.

Sec. 31. If any county desires to proceed with the hard surfacing of the primary roads of said county at a more rapid rate than would be accomplished by merely employing its allotted portion of the primary road fund as it becomes available from year to year, it may in lieu of the procedure provided in section 25 hereof, proceed as follows: The board of supervisors may enter into one or more tentative contracts for the hard surfacing of any designated number of divisions of one or more of such roads of its county. Such tentative contracts shall be entered into in the same manner and under the same formality and procedure heretofore prescribed for the execution of contracts. Such tentative contracts shall not be effective as contracts until validated by the voters of the county as herein provided, and shall so recite. Upon the execution of such tentative contract or contracts, the board of supervisors shall submit to the voters of the county, at a general election or at a special election called by the

board for such purpose, the question of validating said contract or contracts and of issuing bonds and of levying a tax to meet the cost of such work. Special elections shall be conducted in the same manner as general elections are conducted. If but one contract is to be submitted for validation, the said questions shall be set forth on the ballots substantially as follows: "Shall the following contract be validated, to-wit: the contract entered into by the board of supervisors on the..... day of..... and approved by the state highway commission on the..... day of..... between..... county and..... (specifying the name of the contractor) for the hard surfacing of..... road with..... material, and shall the board of supervisors be authorized to issue bonds of this county in an amount not exceeding..... dollars for the purpose of providing the funds with which to pay for such hard surfacing, and shall the board of supervisors be authorized to levy a tax from year to year on all the property in the county in an amount not exceeding..... mills in any one year for the payment of the principal and interest of said bonds, provided, however, that the annual allotments to the county of the primary road fund shall be used to retire the bonds as they mature, and only such portion of said tax shall be levied, if any, as is necessary to pay the interest annually and to meet any deficiency between the maturing principal of such bonds and the allotments aforesaid?" Immediately to the right of said proposition shall appear two squares, one above the other. Immediately after the first square shall appear the word "yes". Immediately after the other square shall appear the word "no". The voter shall indicate his vote by a cross in the appropriate square. If more than one contract is to be submitted at said election, for validation and for authorization to issue bonds and to make tax levy, the proposition pertaining to each contract shall be separately stated on the same ballot and each proposition shall be complete in itself.

Sec. 32. The returns of such election shall be canvassed by the board of supervisors, and its findings shall be entered at large in the minutes of the proceedings. If more than one contract has been submitted, separate findings shall be entered as to the vote on each contract. If a majority of the votes be against the validation of any tentative contract, then the contract shall be of no further force or effect. If the majority of the votes be in favor of a tentative contract, then such tentative contract shall be deemed a contract in fact. Actions to test the legality of such election or of any proceedings relating thereto, shall be instituted within thirty days after the findings of the board as to such election have been entered of record, and not afterwards.

Sec. 33. If said contract or contracts be validated, the board of supervisors shall from time to time, and as necessary to meet the construction cost and expense incidental thereto, issue serial bonds in such denominations and amounts as well, in its judgment, afford the most advantageous sale, and at a rate of interest, payable annually, not exceeding five per cent per annum, provided that said bonds shall only be issued for such part of such costs and expenses which cannot be met by the funds im-

mediately available from the primary road fund and from the proceeds of special assessments herein provided for. No bonds shall be sold for less than par value plus all accrued interest thereon. No bonds shall be issued with maturity date postponed more than fifteen years.

SEC. 34. If said contract or contracts be validated, the board of supervisors shall each year thereafter, and during the life of the bonds, levy such tax within the limits authorized at said election, on all the property in the county as will fully meet, first, all matured or maturing interest for the ensuing year on all outstanding bonds, and second, any amount of matured or maturing principal of bonds for the ensuing year, if any, which cannot be paid from the county's estimated allotment of the primary road fund for such year and from the proceeds of special assessments, and any balance remaining in said fund as proceeds of said levy when all bonds and interest thereon shall have been paid, shall be transferred to the county road cash fund of such county.

SEC. 35. The board of supervisors shall not drain, grade or hard surface any highway within the limits of cities. Draining and grading on the primary system within towns shall be done by said town at its own expense. The board of supervisors is hereby given plenary jurisdiction to hard surface, within any town, any road or street which is a continuation of the primary road system of the county, providing that no hard surfacing constructed hereunder in any town shall exceed eighteen feet in width. After the completion of such improvement the same shall be maintained by the town and such town shall rest under the obligation of care as to such improvement as is now provided by law for roads and streets generally. Any such town, through its council, and each county of the state, through its board of supervisors, are hereby authorized to enter into written agreements, subject to the approval of the state highway commission, to determine the location of such improvements within such towns. In case of disagreement, the matter shall be referred to the state highway commission, whose decision shall be final.

SEC. 36. Boards of supervisors of adjoining counties may jointly agree on a district for the hard surfacing of roads in the following cases:

1. When a primary road substantially parallels a county boundary line and is not more than one mile from such boundary line, or
2. When a primary road approaches a county boundary line at such an angle that the hard surfacing hereunder of such road will reasonably necessitate a district with a substantial part thereof in different counties, or
3. When a primary road constitutes a common boundary line between counties.

In case of common boundary line roads, said boards may also jointly agree as to which county, through its board of supervisors, shall con-

struct said improvement. Such agreements shall be subject to the approval of the state highway commission. If such agreements are entered into and so approved, the county in which the paralleling or angling road is situated shall construct the said improvement as herein provided. If such agreements are entered into relative to a common boundary line road, said improvement shall be constructed by the county agreed on. Should said boards be unable to agree on the district for the improvement of a paralleling or angling road, or should the boards be unable to agree on the district for the improvement of a common boundary line road and also as to which board shall construct the improvement, either board may apply to the state highway commission for a decision in the matter. The said commission shall, by proper order, fix the limits of the district. It shall also determine which county shall construct the hard surfacing on the common boundary line road. Said order shall be final. Such order shall be certified to each board, and the board of the county to which construction has been assigned shall enter such order at large in the minutes of its proceedings, and proceed with the construction of such hard surfacing in the same manner as though the district and the real estate therein were wholly within their county, except that the board of apportionment shall file its report with the board of supervisors of all counties in which any of such real estate is located. The county auditor of the county constructing the hard surfacing shall fix a time for a hearing on said report, and shall cause notice thereof to be given as in cases where the district and the real estate therein are wholly within one county, except that said notice shall be published in one of the official newspapers of each of the counties in which any of the real estate is situated. All subsequent proceedings including objections, final confirmation and appeals shall proceed in the same manner as though the real estate therein were wholly within the constructing county, except that the county auditor of the county constructing the improvement shall, after the final apportionment has been determined and levied, certify a list of the real estate lying in the nonconstructing county or counties and the amount levied thereon, to the county auditor and treasurer of such nonconstructing county. Such assessment and levy, when so certified, shall have the same force and effect as though the same had been duly and legally made by the board of supervisors of such nonconstructing county, and the board of supervisors, auditor and treasurer of such nonconstructing county shall henceforth proceed with the collection of said levy on such real estate in their county as though such levy had arisen out of an improvement preceeding wholly within their county, and when the amount of such levy has been collected, either by cash payments by the property owner, or by the sale of certificates, said county treasurer shall hold the same as a reimbursement to said county on its allotments from the primary road fund. As soon as the final apportionment and levy have been made, the board of supervisors of the constructing county shall, through its county auditor, certify to the state highway commission the total amount of the levies on the real estate in the nonconstructing counties, and the state high-

way commission shall credit the constructing county and charge the non-constructing county with the amount of such certificate. If the improvement is for hard surfacing a county boundary line road, that portion of the total cost thereof not specially assessable, to-wit, seventy-five per cent, shall be taken equally from each county's apportionment of the primary road fund. If the improvement is for hard surfacing a paralleling or angling road, said seventy-five per cent of the total cost shall be taken wholly from the apportionment of the county wherein the paralleling or angling road is located. Any differences, not herein specifically provided, for, arising between different counties, relative to the improvement of common boundary line roads, shall be referred to the state highway commission, and its decision shall be final.

SEC. 38. Primary roads outside of towns shall be maintained by the board of supervisors under the patrol system provided by chapter 316 of the acts of thirty-seventh general assembly, and when so maintained under the said patrol system the county's allotment of the primary road fund may be drawn on for such maintenance. Primary roads, after hard surfacing of the same, shall be maintained under said patrol system wholly out of the county's allotment of the primary road fund. If any county fails to maintain any of its hard surfaced roads to the satisfaction of the state highway commission, said commission shall have power to assume charge of such maintenance and pay therefor out of said county's allotment of the primary road fund. The amount of maintenance vouchers, when the work has been done by the said commission, shall be charged to the county's allotment account, and warrants for the amount of such vouchers shall be issued by the auditor of state on presentation of such vouchers, and paid by the treasurer of state as in other cases. In case any town fails to maintain, to the

SEC. 37. Whenever any public highway that is a part of the primary road system is located along the corporate line of any city, it may be improved by hard surfacing by the board of supervisors as part of the primary system under this act. In such case, one-half the cost of such hard surfacing along said corporate line shall be paid by such city, and the board of supervisors of the county and the city council of such city are hereby authorized to agree in writing for the payment by the city of one-half the cost of such improvement, and in case they cannot agree upon the amount to be paid by the city, and date when payment is to be made, the matter shall be referred to the state highway commission whose decision shall be final. Said city may pay said amount from its general fund, or it may proceed under section 840-h to 840-r, both inclusive, supplemental supplement to the code, 1915, for the assessment and collection of such cost, or it may pay in the first instance from such general fund and reimburse said fund thereafter from proceeds realized from such assessment proceeding. The city in such case, for prompt realization of funds, shall have the right to issue road certificates in anticipation of taxes and assessments to be realized from such assessment proceeding under sections 840-h to 840-r, Supplemental supplement to the code, 1915.

satisfaction of the state highway commission, any hard surfacing constructed hereunder in said town, the said commission shall have power to assume charge of such maintenance and pay for the same from the primary fund belonging to said county, and, in such case, the cost thereof shall be certified by said commission to the county treasurer, who shall reimburse the primary fund of the county by deducting the amount from the next succeeding apportionment of tax funds belonging to the general funds of said town.

SEC. 39. After the primary road system, as now constituted, or as it may hereafter be constituted by authorized modifications, is fully improved as by this act provided, and the bonds issued therefor, if any, retired, the state highway commission shall add such lateral or other additional roads to said system in any county as the board of supervisors may recommend, and after such addition the board may proceed with the improvement of such added roads under the terms of this act.

SEC. 40. The state highway commission is directed to purchase, rent or lease any machinery or other articles necessary for the use and most economical operation of field engineering work, the testing of materials, the preparation of plans, and for allied purposes, in order to enable the commission to carry out the provisions of this act and to pay for the same out of the state commission maintenance fund. Should the government of the United States provide for free distribution among the states, of machinery or other equipment suitable for use in road improvement, the state highway commission is empowered to receive and receipt for such machinery and equipment, and to take such action as will secure to the state the benefit of any such tenders by the federal authorities. Said commission is further authorized, in the event of such distribution to the states by the federal authorities, to make such apportionment of said machinery or other equipment among the counties of the state as in its judgment will best facilitate work in progress or contemplated by any county or counties, but the title and right of possession of such property so received from the federal government shall at all times rest in the state highway commission for the use and benefit of the state. The executive council is hereby authorized to pay the expense, if any, attending the transportation of such machinery or other equipment to the state of Iowa, out of any funds in the state treasury not otherwise appropriated.

SEC. 41. Any member of the board of supervisors, or other county officer, who authorizes or issues, or permits to be issued, any certificate or bond in violation of the requirements herein specified, or who diverts any authorized certificate or bond, or the proceeds derived therefrom, or any part thereof, to any other purpose than the purpose herein specified, shall be deemed guilty of embezzlement and punished accordingly.

SEC. 42. The federal aid engineering fund, created by chapter 249, laws of the thirty-seventh general assembly, shall be continued, and the treasurer of state is hereby directed annually to transfer to such fund from the funds derived from year to year under the act regulatory of motor ve-



hicies, an amount equal to the estimated cost of plans and specifications for the current year, as certified by the state highway commission. Said fund shall be paid out only on properly itemized vouchers approved by the state highway commission and audited by the state board of audit.

SEC. 43. The amount of bonds issued under this act by any county shall not, when added to all other indebtedness of the county, exceed in the aggregate three per cent on the actual value of the taxable property within such county, any other statute to the contrary notwithstanding—to be ascertained by the last state and county tax list previous to the incurring of such indebtedness.

SEC. 44. The board of supervisors is empowered to accept on behalf of the county donations of property in aid of highway construction, and from and after such acceptance the title to such property shall vest in the county for the sole purpose for which donated, and the obligation on the part of the officials charged with the possession and disbursement thereof to properly account therefor shall be the same as attends any other property of the county.

SEC. 45. Section one thousand five hundred seventy-one-m thirty-two (1571-m 32), supplemental supplement to the code, 1915, is hereby repealed and there is hereby created a fund for the maintenance of the state highway commission consisting of two and one-half per cent of all moneys collected by the state or county treasurer, or both, under the act regulatory of licenses on motor vehicles. Said fund shall be used for no other purpose than as a maintenance fund for said state highway commission, and shall be drawn out only on warrants drawn by the auditor of state on itemized vouchers approved by the state highway commission. The expenditures of said commission shall be audited by the executive council, and a full and complete report of all said expenditures shall be published in the annual report under the act creating the state highway commission. At the end of each biennial period, the unexpended funds remaining in the highway maintenance fund for said biennial period shall be placed to the credit of the primary road fund.

SEC. 46. The secondary road system shall embrace the following classes of roads: (1) County roads which now exist of record, or which may hereafter exist of record after the correction of the primary road system by adding thereto or taking therefrom and by additions from the township roads, exclusive of all roads of the primary road system, and (2) township roads, which shall embrace all other roads not included within cities and towns. The county road cash fund and one-third of all other funds derived from year to year by the state or counties under acts regulatory of motor vehicles commencing with and including all fees for the year 1920 except such portion of said motor vehicle fund as shall be necessary to maintain the federal aid engineering fund and as may by law be retained in the state treasury as a maintenance fund for the state highway commission, or as a fund to cover administration of the motor vehicle department, except such portion thereof, if any, as may be necessary in addition to the two-thirds previously provided to meet the re-

quirements of federal road building appropriation acts as applicable to the state of Iowa, which funds if collected by the state treasurer or, in his possession shall be distributed by him to the counties in the proportion to which said counties are entitled to the same as authorized by law, under the jurisdiction of the board of supervisors, and the township road funds, under the jurisdiction of the township trustees, are hereby wholly dedicated and pledged to the improvement of the roads of the secondary road system.

Sec. 47. In order to provide for the hard surfacing of roads of the secondary system, the board of supervisors shall have power, on petition therefor, to establish road assessment districts. Said petitions shall be signed by twenty per cent of the owners of the lands within the proposed district who are residents of the county. Said petition shall be filed with the county auditor, whereupon the board of supervisors shall cause the county engineer to personally examine all the roads within such proposed district and to determine the relation of such roads to the lands within such proposed district, and the relation of such roads to any of the roads of the primary road system, and the necessity, if any, for further grading or draining of such roads. The engineer shall embody his findings in a report to said board. He may recommend the establishment of the district as requested, or with such modifications as, in his judgment, are advisable, including a recommendation as to an increase or decrease of the size of the district as proposed by the petitioners. The engineer's report shall include a plat showing, in accordance with his recommendations, the highways to be improved and benefited. Upon the filing of said report by the engineer, the board of supervisors shall fix a time for hearing thereon, and shall cause the county auditor to serve notice by publication as hereinafter provided, of the pendency of said petition on all owners of said land lying within said proposed district, as recommended by the engineer. Said notice shall contain an intelligent description of all of the lands lying within said district, and the ownership thereof, as shown by the transfer books in the auditor's office, and shall be published in the English language within the proposed district, if there be such newspaper, and if there be no such newspaper within such district, then the said notice shall be so published in some such newspaper in the county as near as practicable to said district. Proof of such publication shall be made by the publisher by affidavit duly filed with the county auditor. Hearings on said petition may be returned from time to time without loss of jurisdiction on the part of the board. On the final hearing, the board shall proceed to a determination of said matter. It may reject the proposal or it may approve the same and establish the district as petitioned for. It may modify the petition either by excluding lands therefrom or by adding lands thereto, or otherwise modify the same, or the board may withhold final order in such matter until such roads, or any designated part thereof, are drained or graded to their satisfaction. No lack of definiteness, either in the petition or in the engineer's report, shall be deemed a jurisdictional defect, and the final order of the board of supervisors establishing the district shall be final. In establishing a district, the board of supervisors shall determine and enter of record the general nature of the

improvement to be constructed on the different roads within the district, or may determine such improvements in the alternative and may determine on one class of improvement for some roads and a different class for other roads, provided if such contemplated improvement be a hard surfaced road project the proceedings must be the same as those authorized by the provisions of this act for the hard surfacing of the primary road system as far as applicable, except that the disbursement of funds shall be conducted through the county auditor and county treasurer's office, the bills audited by the county board of supervisors, the engineering service and inspection necessary shall be under the jurisdiction of the board of supervisors and county engineer, subject to the approval of the highway commission. It is further provided that no hard surfacing except gravel, as heretofore provided for, division two of the secondary road system, shall be authorized by this act until all the main roads in sub-division 2 as classified in section 46, of this act are brought to permanent grade which shall constitute at least 60% of the mileage of the roads of said sub-division 2 as provided by section 46, of this act.

SEC. 48. Upon the establishment of a district on said secondary road system, the board of supervisors shall file with the state highway commission a copy of the order establishing the district and a copy of the engineer's plat.

SEC. 49. Upon the establishment of a district in such secondary road system, the county engineer shall prepare the plans for the improvements contemplated by the order of the board establishing the district, which plans shall be accompanied by the standard specifications of the state highway commission for the class of improvements contemplated. Upon the filing of said plans and specifications, and upon receiving the agreement of the township or townships to pay their portion of the improvement of township roads, if any, the board shall, in accordance with their order relative to the class or classes of improvements, proceed to advertise for bids, and shall proceed as provided in section 11 of this act, provided that contracts involving less than two thousand dollars need not be approved by the state highway commission.

SEC. 50. It shall be the specific duty of the board of supervisors to see that all contracts on said secondary roads are faithfully executed. The county engineer shall maintain competent inspection of the work during the progress thereof, and in the certification of bills and the issuance of warrants the engineer and the county auditor shall rest under the same responsibility as now attends such acts relative to road work, and tile, tiling, culvert and bridge construction.

SEC. 51. The total cost of improving a county road in said secondary system within said district, by hard surfacing, shall be apportioned and paid in the proportion of seventy-five per cent from the county road cash fund and twenty-five per cent from assessments on benefited lands. The total cost of so improving a township road within said district shall be apportioned and paid in the proportion of twenty-five per cent from the county road cash fund, fifty per cent from the township road funds of the

township or townships embracing said township road (according to their relative mileage) and twenty-five per cent from the special assessments on benefited lands. A county road, after it is so improved, shall be maintained, by the board of supervisors, from the county road cash fund. A township road, after it is so improved, shall be maintained by the township trustees from township funds, unless the improvement is of so substantial and permanent a nature, as that the board of supervisors shall by resolution add such road to the county road system, to be maintained as such.

SEC. 52. The total cost of such improvements on said secondary roads shall, in the first instance be paid from the county road cash fund, or jointly from such fund and from the proceeds of all special assessments and road certificates issued against special assessments on lands within the district, or by direct application of such certificates to such cost. In case of the improvement of a county road, by hard surfacing the said county road cash fund shall be reimbursed for amounts advanced in excess of its legal contribution, from the proceeds of all road certificates which represent such special assessments. In case of the improvement of a township road, by hard surfacing said fund shall be reimbursed to the extent of twenty-five per cent of the total cost of the improvements from said special assessments and road certificates, and fifty per cent from the township road fund, or the township drag fund, or from the township drainage fund or from any or all of said funds. The trustees are authorized to transfer to the county from any or all of such township funds the amount sufficient to effect such reimbursement. Should the trustees neglect to make such transfers, the county treasurer, on order from the board, shall withhold from such township sufficient of its tax funds as will effect such reimbursement, and transfer such amount to the county road cash fund, or the board of supervisors may levy direct tax against the property within said delinquent township as will effect such reimbursement. If the district as finally established, embraces and contemplated the improvement of a township road, the board of supervisors shall proceed no farther as to such township road until the township which embraces such road shall agree in writing, signed by a majority of its trustees, to pay its portion, as herein required, of the total cost of said improvement. Said written agreement shall be deemed the financial obligation of the township and not of the trustees individually. If such township road is on a township line, such agreement shall be executed by both townships, and one-half of that portion of the cost payable from township funds shall be borne by such township. Provided that the cost of grading and draining necessary before surfacing to bring the road to permanent grade within the improvement district contemplated shall not be assessed or any part thereof, as benefits against the real estate within the benefit zones of the improvement district shall be that of hard surfacing.

SEC. 54. The county boards of supervisors are hereby authorized to contribute annually to the subdivision of the secondary road system

designated in Section 46 of this act as Division two, Township Roads, the amount of one thousand dollars from the secondary road fund to such townships in the county as provided an equal amount, said funds to be used only for the purpose of bringing to permanent grade the township roads of those townships complying with the provision of this section of this act, which work shall be done under the jurisdiction of the county board of supervisors upon such roads as designated by the township trustees, performed in the manner and under the same legal regulations required by law as other county road work.

Sec. 55. The provisions of this act providing for the hard surfacing of the roads of the primary road system and secondary road system, other than by graveling, shall not be operative and effective in any of the counties of the state of Iowa until an election is held in the county or counties desiring to make effective the provisions of this act as follows:

"If prior to July 1st in any year the voters in any county in number equal to twenty per cent of the number voting at the last general election shall petition the board of supervisors, in writing, so to do, the board shall submit to the voters of the county, at a general election or special election called for that purpose, the question whether hard surfacing shall be done on the primary or secondary road system in said county under this act. The board shall, in the event of such election, be governed by the result thereof. Such election, however, shall not interfere with or affect work under construction or under contract. Notice of such election shall be given as provided in section twenty-five of this act and said notice and the ballot shall contain substantially the proposition to be voted on and the time said election will be held. Special elections shall not be held in the same manner as general elections. Said elections shall not be held in any county oftener than once in two years.

"If the majority of the votes cast are in favor of the proposition submitted, then the provisions of this act as to hard surfacing shall become effective as to the county in which the election was held, if a majority of the votes are against the proposition submitted, then the provisions of this act as to hard surfacing in the county in which the election was held shall not be operative but may be re-submitted as above provided."

Sec. 56. Section one thousand three hundred three (1303), supplemental supplement to the code, 1915, as amended by chapter six (6) of the acts of the thirty-seventh general assembly, is hereby amended by inserting a period after the word "fund" in the second line of paragraph five (5) of said section, and by striking out all remaining portions of said paragraph.

Sec. 57. All acts, and all parts of acts, in so far as the same may be inconsistent, or in conflict, with the provisions of this act are hereby repealed.

Sec. 58. Promptly upon the passage of this act, the state highway commission shall cause the same to be published, by the state, together with

such explanatory notes as it may deem advisable, and in such number as the executive council shall authorize, and the same shall be paid for as other state printing.

SEC. 59. The state treasurer shall, quarterly, credit, to the primary road fund, all sums accruing after January 1, 1920, to the state as interest on deposits of funds derived by the state from act regulatory of motor vehicles, except interest on such part, if any, of said fund as may be retained in the state treasury as a maintenance fund for the administration of the motor vehicle department.

SEC. 60. 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 Des Moines Capital.

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5. Primary fund account.
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7. Primary system divisions and districts.
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#### AMENDMENT FILED.

Senator Newberry filed the following amendment:

I move that House File No. 484 be amended by inserting after the comma after the figures "1913" in line two of the bill the following, to-wit:

"as amended by section seven (7) of Chapter three hundred eighty-six (386), Acts of the Thirty-seventh General Assembly."

Senator Kimball moved to reconsider vote by which Senate File No. 460 passed the Senate and that the same lay on the table.

The motion prevailed.

#### CORRECTION OF JOURNAL.

The journal of April 6 was corrected and approved.

On motion of Senator Kimball, Senate adjourned until 9:00 a. m., April 8th.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 8, 1919.

Senate met in regular session, President pro tem Arney presiding.

Prayer was offered by Rev. R. H. Polly, pastor of the Christian Church of Fairfield.

## PETITIONS AND MEMORIALS.

Senator Evans presented a petition of Clarkesville Commercial Club favoring passage of the House road bill.

Referred to sifting committee.

Senator Anderson presented a remonstrance of citizens of Sac county against paved roads.

Referred to sifting committee.

Senator Nelson presented a remonstrance of citizens of Cass and Adams counties against bond issue for paved roads.

Referred to sifting committee.

## MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

Senate File No. 167, a bill for an act to amend the law as it appears in section two thousand two hundred thirty-eight (2,238) of the code, giving to the Board of Supervisors authority to provide dental attendance and services for the poor.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:



Senate File No. 458, a bill for an act to amend the law as it appears in section eighteen hundred thirty-nine j (1839 j), supplement to the code, 1913, relating to fraternal beneficiary societies.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 430, a bill for an act to provide that an upper levee or drainage district shall pay its proportional share of the cost of enlarging, deepening, widening or cleaning out any ditch, drain, watercourse or stream of a lower levee or drainage district into or through which the waters of the upper levee or drainage district flow; and that such upper levee or drainage district shall pay its proportional share of the costs of extending any ditch, drain, watercourse or stream of a lower levee or drainage district, when such extension becomes necessary for a better outlet for the waters of the several districts flowing into or through the same.

W. C. RAMSAY, *Chief Clerk.*

Also:

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, a joint resolution granting to the Treasurer of State authority to make settlement in delinquencies in automobile licenses prior to 1919, and providing for additional help.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 190, a bill for an act to amend section eight hundred eighty-seven (887) of the Code, by authorizing a special extra levy not exceeding five (5) mills for the years 1919 and 1920 for the general fund of all cities and towns.

#### HOUSE AMENDMENT.

Amend by striking out the word "five" and figure 5 in line five of section one, and inserting in lieu thereof the word and figure two (2).

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 103, a bill for an act to authorize the paving by the State of Iowa of the public highway along the south side of the property owned by the State in connection with the Hospital for Insane at Cherokee, Iowa, and to make an appropriation therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

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, a joint resolution approving estimate of costs, plans and specifications for buildings at the State University of the Iowa State College of Agriculture and Mechanic Arts.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 provide for the compilation, publication, and distribution of an Iowa Roster covering the Mexican Border Service and the World War; and to aid in the compilation and publication of a comprehensive history of Iowa's part in the World War as outlined and undertaken by the State Historical Society of Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 to pension survivors of the Frontier Guards of Mitchell's Cavalry, providing the amount of such pension, the method of payment, and making an appropriation therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 confer additional powers on cities now or hereafter having a population of one hundred thousand

(100,000) inhabitants or over, including cities acting under the commission plan of government, relating to water works.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relative to removal of Government or established corner stones and providing a penalty therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 amend the law as it appears in section eighteen hundred twenty-two (1822), Supplement to the Code, 1913, relating to the matter of fraternal beneficiary societies, orders and associations, and the issuance of certificates by said associations.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 169, a bill for an act to amend Section Fifteen Hundred Twenty-seven s-seven, (1527-s7), Supplement Code, 1913, relative to the removal of Government or established corners and providing a penalty therefor.

Read first and second time and referred to sifting committee.

House File No. 526, a bill for an act to confer additional powers on cities now or hereafter having a population of one hundred thousand (100,000) inhabitants or over, including cities acting under the commission plan of government, relating to water works.

Read first and second time and referred to sifting committee.

House File No. 337, a bill for an act to pension survivors of the Frontier Guards of Mitchell's Cavalry, providing the amount of such pension, the method of payment, and making an appropriation therefor.

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

House File No. 430, a bill for an act to provide that an upper levee or drainage district shall pay its proportional share of the cost of enlarging, deepening, widening or cleaning out any ditch, drain, watercourse or stream of a lower levee or drainage district into or through which the waters of the upper levee or drainage district flow; and that such upper levee or drainage district shall pay its proportional share of the cost of extending any ditch, drain, watercourse or stream of a lower levee or drainage district, when such extension becomes necessary for a better outlet for the waters of the several districts flowing into or through the same.

Read first and second time and referred to sifting committee.

House Joint Resolution No. 5, granting to the Treasurer of State authority to make settlement in delinquencies in automobile licenses prior to 1919, and providing for additional help.

Read first and second time and referred to sifting committee.

House File No. 553, a bill for an act to amend the law as it appears in section eighteen hundred twenty-two (1822), Supplement to the Code, 1913, relating to the matter of fraternal beneficiary societies, orders and associations, and the issuance of certificates by said associations.

Read first and second time and referred to sifting committee.

House File No. 362, a bill for an act to provide for the compilation, publication, and distribution of an Iowa Roster covering the Mexican Border Service and the World War; and to aid in the compilation and publication of a comprehensive history of Iowa's part in the World War as outlined and undertaken by the State Historical Society of Iowa.

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

House Joint Resolution No. 4, a joint resolution approving estimate of costs, plans and specifications for buildings at the State University of Iowa and the Iowa State College of Agriculture and Mechanic Arts.

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

#### REPORTS OF COMMITTEES.

Senator Foster, 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. 348, a bill for an act To amend Section Eighteen Hundred and fifty (1850), supplement to the code, 1913, relating to the investment by Savings Banks of their funds or capital and money deposited therein, and their gains and profits in Federal Farm Loan Bonds, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

JOHN W. FOSTER, *Chairman.*

On motion of Senator Foster, the report of the committee was adopted and the bill indefinitely postponed.

Senator Parker, 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. 432 by Buser, a bill for an act amending Section Seven hundred twenty-five (725), Supplement to the Code, 1913, to authorize and empower cities and towns, cities acting under special charter, cities acting under the commission plan and cities acting under the city manager plan to contract with utilities companies for a maximum rate for service rendered the city and its inhabitants by such companies, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

ADDISON M. PARKER, *Chairman.*

On motion of Senator Parker, the report of the committee was adopted and the bill indefinitely postponed.

Senator Proudfoot, from the committee on judiciary No. 2, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 2, to whom was referred House File No. 313, a bill for an act Providing for the establishment of levee and drainage districts and improvements in cases where the Board of Supervisors have heretofore attempted to establish the same under Title X, Chapter 2, McClaine's Code of 1888, as amended and where said establishment has failed by reason of the unconstitutionality of said provisions and to provide for the district established under the provisions, etc., beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 2, to whom was referred Senate File No. 120, a bill for an act to amend the law as it appears in section 3294 of the Code, relating to foreign wills filed in the office of the county recorder or the clerk of the district court, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

A. V. PROUDFOOT, *Chairman.*

On motion of Senator Proudfoot, the report of the committee was adopted and the bill indefinitely postponed.

Senator Ball, from the committee on public health, submitted the following report:

MR. PRESIDENT—Your committee on public health, to whom was referred Senate File No. 353, a bill for an act to prohibit the pollution of Iowa streams, lakes, or other bodies of water, defining such pollutions as a nuisance, and providing a penalty for violation thereof, and for the abatement of such nuisance, beg leave to report they have had the same under consideration and have instructed me to report the same back to the Senate with the recommendation that the same be indefinitely postponed.

GEO. W. BALL, *Chairman.*

On motion of Senator Ball, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on public health, to whom was referred House File No. 96 (by Smith), a bill for an act making it unlawful to advertise remedies, appliances, treatment, etc., for venereal and sexual diseases, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

GEO. W. BALL, *Chairman.*

On motion of Senator Ball, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on public health, to whom was referred Senate File No. 399, a bill for an act relating to the registration of births, beg leave to

report they have had the same under consideration and recommend the same be indefinitely postponed.

Geo. W. Ball, *Chairman*.

On motion of Senator Ball, the report of the committee was adopted and the bill indefinitely postponed.

Senator Wilson, from the committee on judiciary No. 1, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 1, to whom was referred House File No. 68, a bill for an act providing for the examination and certification of shorthand reporters of the District, Superior and Municipal Court, and creating a board of Examiners therefor, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. M. Wilson, *Chairman*.

On the question, "Shall the report of the committee be adopted?" the vote was:

Ayes, 15.

Arney	Fellows	Rainbow
Ball	Foster	Rule
Byington	Greenell	Schaffter
Cessna	Hale	Stephenson
Evans	Pitt	White

Nays, 15.

Anderson	Horchem	Parker
Broxam	Kimball	Ratcliff
Buser	Kingland	Reed
Haskell	Mitchell	Taylor
Holdoegel	Nelson	Wilson

Absent or not voting, 20.

Adams	Kimberly	Shane
Balkema	LeCompte	Smith
Brookhart	Meredith	Stoddard
Coburn	Newberry	Thompson
Edwards	Price	Van Alstine
Foskett	Proudfoot	Whitmore
Fralley	Scott	

The report of the committee was rejected and the bill was ordered placed on the calendar.

SPECIAL ORDER.

On motion of Senator Byington, Senate File No. 357 was made a special order for April 9th at 9:30 a. m.

## BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 7th day of April, 1919, sent to the governor for his approval, Senate File No. 132, a bill for an act to amend section two thousand six hundred six (2606) Supplemental Supplement to the Code, 1915, relating to rules of admission to the Iowa Soldiers' Home.

Also:

Senate File No. 248, a bill for an act to authorize and empower the State Board of Control to lease the right to mine the coal from under all that portion of the present state fair ground lying east of a line running north and south two hundred (200) feet, east of the present poultry building.

Also:

Senate File No. 440, a bill for an act to convey to James M. Peden the title of the State of Iowa to the Northeast quarter (NE $\frac{1}{4}$ ) of the Southwest quarter (SW $\frac{1}{4}$ ) of Section Eleven (11), Township Seventy (70) North, Range Thirteen (13), West of the 5th P. M.

Also:

Senate File No. 119, a bill for an act to repeal section thirty-three hundred and seventy-six (3376), supplement to the code, 1913, and to enact a substitute therefor, relating to share not affected by will and election by a surviving spouse to take or to refuse to take a decedent's will.

Also:

Senate File No. 54, a bill for an act to amend Chapter two hundred-sixty-seven (267) of the laws of the Thirty-seventh General Assembly, and relating to the compensation of jury commissioners and the auditing of the same by a judge of the district court.

Also:

Senate File No. 341, a bill for an act amending Section Fifteen hundred and thirty-three (1533) Supplement to the Code, 1913, relating to the cutting of weeds along public highways over which township trustees and county boards have jurisdiction.

Also:

Senate File No. 118, a bill for an act to amend sections sixteen hundred fourteen-f (1614-f), sixteen hundred fourteen-g (1614-g), sixteen hundred fourteen-h (1614-h), and sixteen hundred fourteen-i (1614-i), of the



supplement to the code, 1913, relating to annual reports by corporations, and making provision for forfeiture and cancellation of the corporate charter, and rights to do business in this state.

Also:

Senate File No. 296, a bill for an act to amend section twenty-seven hundred ninety-four-a (2794-a) of the supplemental supplement to the Code, 1915, as amended by chapter 432 of the Acts of the Thirty-seventh General Assembly, relating to consolidated school districts.

Also:

Senate File No. 302, a bill for an act to amend section two hundred thirty-five (235) of the code relating to special adjournment of the district court.

Also:

Senate File No. 79, a bill for an act to appropriate Twenty-five Thousand Dollars (\$25,000) as an additional amount to complete the Medical and Laboratory Building of the State Sanitorium for the Treatment of Tuberculosis at Oakdale and for equipment thereof, and also to appropriate the sum of Three Thousand Dollars (\$3,000) for the purchase of an X-ray machine for said institution.

Also:

Senate File No. 111, a bill for an act to amend Section two thousand and nine (2009) Supplement to the Code, 1913, relating to condemnation of land for state purposes.

Also:

Senate File No. 154, a bill for an act to provide training in teaching service for the Iowa State Teachers College, State University of Iowa and College of Agriculture and Mechanic Arts and to furnish instruction to pupils of school districts under contract between the Board of Directors and the State Board of Education.

Also:

Senate File No. 29, a bill for an act making appropriations for the erection, repair and improvement of buildings, for appurtenances and connections thereto, for furniture, fixtures furnishings and equipment, for the purchase of land, for the purchase of live stock, farm machinery and equipment, for establishing and maintaining industries, for the purchase of clothing, food, fuel and supplies, and for improvements, equipment and appliances needed in any or all of the institutions hereinafter named, to-wit: Iowa Soldiers' Home, Iowa Soldiers' Orphans' Home, Institution for Feeble Minded Children, State Sanatorium for the treatment of Tubercu-

culosis, State Industrial Schools, State Hospitals for the Insane, State Penitentiary, The Reformatory, State Hospital and Colony for Epileptics and the Women's Reformatory.

EUGENE SCHAFFER, *Chairman*.

Passed on file.

#### REPORTS OF COMMITTEES.

Senator Wilson, from the committee on judiciary No. 1, submitted the following report:

MR. PRESIDENT—Your committee on judiciary No. 1, to whom was referred Senate File No. 85, a bill for an act providing for the examination and certification of shorthand reporters of the District, Superior and Municipal courts, and creating a Board of examiners therefor, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. M. WILSON, *Chairman*.

On motion of Senator Wilson, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on judiciary No. 1, to whom was referred Senate File No. 424, a bill for an act amending Chapter 2A, Supplement to the Code, 1913, relating to establishment of drainage districts, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. M. WILSON, *Chairman*.

On motion of Senator Wilson, the report of the committee was adopted and the bill indefinitely postponed.

Senator Edwards, from the committee on county and township affairs, submitted the following report:

MR. PRESIDENT—Your committee on county and township affairs, to whom was referred House File No. 262, a bill for an act to repeal the law as it appears in Section 5256 of the supplement to the Code, 1913, and to enact a substitute in lieu thereof, relating to the appointment of clerks of the Grand Jury and fixing the salary thereof, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BEN EDWARDS, *Chairman*.

The report of the committee was rejected and the bill ordered placed on the calendar.

Also:

Your committee on county and township affairs, to whom was referred

House File No. 441, a bill for an act to amend the law as it appears in Section 254-a20, supplement to the Code, 1913, relating to the amount of financial aid to be given to widowed mothers to properly care for their children, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BEN EDWARDS, *Chairman.*

On motion of Senator Edwards, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on county and township affairs, to whom was referred House File No. 217, a bill for an act to amend sections 1087-a5 and 1093, supplemental supplement to the code, 1915, referring to election boards and providing for the compensation of judges and clerks of election, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BEN EDWARDS, *Chairman.*

On motion of Senator Edwards, the report of the committee was adopted and the bill indefinitely postponed.

Senator Newberry, from the committee on public schools, submitted the following report:

MR. PRESIDENT—Your committee on public schools, to whom was referred Senate File No. 105, a bill for an act to provide method of changing boundary lines between school districts, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

BYRON W. NEWBERRY, *Chairman.*

On motion of Senator Newberry, the report of the committee was adopted and the bill indefinitely postponed.

Senator Frailey, from the committee on insurance, submitted the following report:

MR. PRESIDENT—Your committee on insurance, to whom was referred Senate File No. 403, a bill for an act relating to the investment of funds by insurance companies or associations, or fraternal beneficiary societies or associations, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. R. FRAILEY, *Chairman.*

On motion of Senator Frailey, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on insurance, to whom was referred Senate File No.

325, a bill for an act relating to the investment of funds by insurance companies, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. R. FRAILEY, *Chairman.*

On motion of Senator Frailey, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on insurance, to whom was referred Senate File No. 153, a bill for an act to amend section 1759-h of the Supplement to the Code, 1913, relating to the fees and assessments of mutual hailstorm insurance associations and the collection thereof, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

J. R. FRAILEY, *Chairman.*

On motion of Senator Frailey, the report of the committee was adopted and the bill indefinitely postponed.

Senator Kimball, 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. 374, a bill for an act to amend section one (1), Chapter one hundred thirty-seven (137) Acts of the Thirty-seventh General Assembly, relating to the notification to delinquent tax payers by the county treasurer, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

CLEM F. KIMBALL, *Chairman.*

On motion of Senator Kimball, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on ways and means, to whom was referred Senate File No. 375, a bill for an act to repeal the law as it appears in section fourteen hundred seven (1407), supplement to the Code, 1913, and section fourteen hundred seven-one-a (1407-1-a), supplement to the code, 1913, and to enact a substitute in lieu thereof, relating to delinquent tax collectors-appointment of-compensation-sheriff, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

CLEM F. KIMBALL, *Chairman.*

On motion of Senator Kimball, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on ways and means, to whom was referred Senate

File No. 445, a bill for an act to amend the law as it appears in Chapter Four (4) of Title VII of the Supplement to the Code, 1913, providing for the taxation of ~~estate~~ inheritances and repealing all laws in conflict therewith, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

CLEM F. KIMBALL, *Chairman.*

On the question, "Shall the report of the committee be adopted?" the vote was:

Ayes, 31.

Adams	Hale	Schaffter
Arney	Haskell	Scott
Balkema	Horchem	Shane
Ball	Meredith	Stephenson
Brookhart	Parker	Stoddard
Broxam	Pitt	Thompson
Byington	Price	Van Alstine
Cessna	Rainbow	White
Evans	Ratcliff	Whitmore
Fellows	Rule	Wilson
Foskett		

Nays, 5.

Anderson	Holdoegel	Nelson
Edwards	Kingland	

Absent or not voting, 14.

Buser	Kimball	Proudfoot
Coburn	Kimberly	Reed
Foster	LeCompte	Smith
Fralley	Mitchell	Taylor
Greenell	Newberry	

The report of the committee was adopted and the bill was indefinitely postponed.

Senator Holdoegel, from the committee on departmental affairs, submitted the following report:

MR. PRESIDENT—Your committee on departmental affairs, to whom was referred Senate File No. 254, a bill for an act to amend the law as it appears in section four thousand nine hundred ninety-nine-a eighteen (4999-a18) of the supplement to the code, 1913, relating to duties and powers of commissioner; and to amend the law as it appears in section four thousand nine hundred ninety-nine-a thirty-one b (4999-a31b) of the supplement to the code, 1913, relating to salaries of assistants; and to amend the law as it appears in section four thousand nine hundred ninety-nine-a thirty-one c (4999-a31c) of the supplemental supplement to the code, 1915, relating to the labeling of foods; and to amend section four thousand nine hundred ninety-nine-a thirty-one f (4999-a31f) of the supplemental supplement to the code, 1915, relating to the appropriation of the dairy and

food department, 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:

Amend by striking out section two (2) and renumbering sections three (3) and four (4) to appear as sections two (2) and three (3).

Also by striking out all after the word "forty" in line six of section four (4).

Also amend the title to the bill by striking out all after the semi-colon in the fourth line of the title, and all of lines five and six and all of line seven up to and including the semi-colon.

P. C. HOLDREGE, *Chairman*.

Ordered passed on file.

Senator Van Alstine, from the committee on telegraph and telephones, submitted the following report:

MR. PRESIDENT—Your committee on telegraph and telephone, to whom was referred House File No. 336, a bill for an act to regulate telephone companies and to require any telephone company operating in this state to make connections between its toll lines and the lines of other telephone companies, and giving the R. R. Commissioner authority to determine and fix the terms upon which such connections shall be made, and providing a method for the enforcement of any order of the railroad commission, beg leave to report they have had the same under consideration and recommend that the same be referred to the sifting committee.

H. S. VAN ALSTINE, *Chairman*.

On motion of Senator Van Alstine, the report of the committee was adopted and the bill referred to the sifting committee:

Senator Smith, from the committee on claims, submitted the following report:

MR. PRESIDENT—Your committee on claims, to whom was referred Senate File No. 72, a bill for an act appropriating the sum of \$67.00 in payment of cost of survey of river bed in East Omaha, 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.

ED. M. SMITH, *Chairman*.

On motion of Senator Smith, the report of the committee was adopted and the bill referred to committee on appropriations.

SENATE FILE NO. 376 WITHDRAWN.

Senator Arney withdrew Senate File No. 376 from further consideration.

## REPORT ON COMMITTEE CLERKS.

Des Moines, Iowa, April 8, 1919.

MR. PRESIDENT—Your committee, to which was referred the matter of examining applicants for employment as clerks in the Senate, begs leave to report that it has examined and found proficient, Mrs. Hazel Marshall. She has been assigned to Senator Balkema in place of Mrs. Wilder, resigned.

We recommend the employment of Mrs. Marshall from and after April 8, 1919.

EUGENE SCHAFFTER, *Chairman.*

The report was adopted.

Des Moines, Iowa, April 7, 1919.

MR. PRESIDENT—Your committee, to which was referred the matter of examining applicants for employment as clerks in the Senate, begs leave to report that it has examined and found proficient, Miss Edna P. Smith. She has been assigned to Senator Buser in place of Mrs. Edith Ditto, resigned.

We recommend the employment of Miss Smith from and after April 7, 1919.

EUGENE SCHAFFTER, *Chairman.*

The report was adopted.

## MOTIONS TO RECONSIDER FILED.

MR. PRESIDENT—I move to reconsider the vote by which Senate File No. 85 was indefinitely postponed.

W. W. ANDERSON.

MR. PRESIDENT—I move to reconsider the vote by which Senate File No. 345 passed the Senate and also the vote by which it passed to its third reading.

CHESTER W. WHITMORE.

## INTRODUCTION OF BILLS.

By committee on appropriation, Senate File No. 531, a bill for an act to amend chapter 236 acts of the Thirty-seventh General Assembly relative to the establishment of state parks, their acquisition, maintenance, improvement, and control, and providing for an appropriation therefor.

Read first and second time and passed on file.

## THIRD READING OF BILLS.

On motion of Senator Wilson, House File No. 345, a bill for an act to repeal section thirty-nine hundred thirty (3930), of

the Code, relating to the release of attachments, and to enact a substitute therefor, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 34.

Adams	Foster	Price
Anderson	Hale	Rainbow
Arney	Haskell	Ratcliff
Ball	Holdoegel	Reed
Brookhart	Horchem	Rule
Broxam	Kimball	Schaffter
Buser	Kimberly	Shane
Byington	Kingland	Stephenson
Edwards	Meredith	White
Evans	Nelson	Whitmore
Fellows	Parker	Wilson
Foskett		

Nays, none.

Absent or not voting, 16.

Balkema	Mitchell	Smith
Cessna	Newberry	Stoddard
Coburn	Pitt	Taylor
Fralley	Proudfoot	Thompson
Greenell	Scott	Van Alstine
LeCompte		

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

#### HOUSE AMENDMENTS CONCURRED IN.

Senator Taylor called up Senate File No. 481 amended by the House, and moved that the Senate concur in the following House amendments:

#### HOUSE AMENDMENTS.

By striking out the word "liquors" in Section two (2) Paragraph two (2); and in lines nineteen, (19) twenty-three (23) and thirty-three (33) in Section four (4); also in lines two (2), six (6) nineteen (19), twenty-one (21), twenty-two (22) and twenty-three (23) in section five (5); also



in line six (6), Section seven (7); and in lines three (3) and five (5) in Section eight (8), and inserting in lieu thereof the word "wine".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 36.

Anderson	Foster	Rainbow
Balkema	Hale	Ratcliff
Ball	Haskell	Reed
Brookhart	Holdoegel	Rule
Broxam	Horchem	Schaffter
Buser	Kimball	Shane
Byington	Kimberly	Stephenson
Cessna	Kingland	Taylor
Edwards	Meredith	Van Alstine
Evans	Nelson	White
Fellows	Parker	Whitmore
Foskett	Price	Wilson

Nays, none.

Absent or not voting, 14.

Adams	LeCompte	Scott
Arney	Mitchell	Smith
Coburn	Newberry	Stoddard
Fralley	Pitt	Thompson
Greenell	Proudfoot	

The House amendments, having received a constitutional majority, were declared to have been concurred in by the Senate.

#### THIRD READING OF BILLS.

On motion of Senator Van Alstine, House File No. 225, a bill for an act to prevent the spread of hog cholera and other diseases; regulating the business of disposing of the bodies of dead animals by the process of cooking, burying, or burning; providing for the issuance of licenses to persons, firms, and corporations, permitting them to follow such business; providing for the violating of any of its provisions and repealing conflicting laws, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Cessna offered the following amendment and moved its adoption:

Amend by striking from Section 10, line 3, the words "Hogs and other animals" and inserting in lieu thereof the words "Horses and Cattle".

The amendment was lost.

Senator Van Alstine moved that the rules 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 vote was:

Ayes, 32.

Adams	Kingland	Rule
Anderson	LeCompte	Schaffter
Brookhart	Mitchell	Scott
Byington	Nelson	Smith
Foskett	Parker	Stephenson
Greenell	Pitt	Stoddard
Haskell	Price	Taylor
Holdoegel	Proudfoot	Van Alstine
Horchem	Rainbow	White
Kimball	Ratcliff	Whitmore
Kimberly	Reed	

Nays, 13.

Arney	Edwards	Meredith
Ball	Evans	Shane
Broxam	Foster	Thompson
Buser	Hale	Wilson
Cessna		

Absent or not voting, 5.

Balkema	Fellows	Newberry
Coburn	Fralley	

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

#### MOTION TO RECONSIDER CALLED UP.

Senator Whitmore called up the motion filed by him to reconsider the vote by which House File No. 345 passed the Senate, which motion to reconsider prevailed.

The motion to reconsider the vote by which it passed to its third reading prevailed.

Senator Whitmore offered the following amendment and moved its adoption:

Amend House File No. 345 by inserting in line 8 a comma after "shall", and inserting before the word "automatically", "subject to the right of appeal,"

The amendment was adopted.

Senator Whitmore moved that the rules 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 vote was:

Ayes, 41.

Adams	Frailey	Reed
Anderson	Greenell	Rule
Arney	Hale	Schaffter
Ball	Haskell	Scott
Brookhart	Holdoegel	Shane
Broxam	Horchem	Smith
Buser	Kimberly	Stephenson
Byington	Kingland	Stoddard
Coburn	Meredith	Taylor
Edwards	Mitchell	Thompson
Evans	Nelson	White
Fellows	Parker	Whitmore
Foskett	Pitt	Wilson
Foster	Ratcliff	

Nays, none.

Absent or not voting, 9.

Balkema	LeCompte	Proudfoot
Cessna	Newberry	Rainbow
Kimball	Price	Van Alstine

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 Frailey, Senate File No. 505, a bill for an act relating to insurance; requiring that certain insurance concerns adopt insurance bureau ratings, or maintain or cooperate in maintaining and operating insurance rate making bureaus; providing for the organization, operation and supervision of such insurance rate-making bureaus; authorizing the supervision and examination of such rating bureaus by the Commissioner of Insurance; providing for an inspection and survey by such bureaus of all insurance risks specifically rated; requiring rating bureaus to furnish copies of surveys, rates fixed, and defects found; directing the Commissioner of Insurance to appoint inspectors to inspect properties and check up surveys; authorizing a hearing upon and review of the rates fixed by any such bureau for in-

insurance upon property within the State of Iowa; prohibiting discrimination in fixing and collecting insurance rates; forbidding rebates of premiums paid under such rates; fixing penalties for the violation of this Act; and appropriating state funds for carrying out its provisions, a committee bill, was taken up and considered.

Senator Frailey offered the following amendments and moved their adoption:

Amend House File No. 505 by inserting after the word "bureau" in the fourteenth (14th) line of section seven (7) the following words: "or by the agent soliciting the insurance".

Also change the word "such" in line 13 of Section 7 and in line 8 of section 9 to the word "any".

The amendments were adopted.

On motion of Senator Foskett, the bill was referred to committee on appropriations.

On motion of Senator Brookhart Senate File No. 259, a bill for an act to repeal section two thousand two hundred forty-one (2241) Supplement to the code, 1913, and enacting a substitute in lieu hereof, providing for the establishment of a county home and changing the name of Poor Houses and providing a fund to be known as the County Home fund, and providing for the levy and collection of taxes therefor. Also amending section two thousand two hundred forty-seven (2247) Supplement to the code, 1913, relating to the expense of supporting the poor, a committee bill, was taken up, and considered.

Senator Brookhart moved that the rules be suspended, the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 41.

Adams	Byington	Hale
Anderson	Edwards	Haskell
Arney	Evans	Holdoegel
Balkema	Fellows	Horchem
Ball	Foskett	Kimberly
Brookhart	Frailey	Kingland
Broxam	Greenell	Meredith

Mitchell	Rule	Taylor
Nelson	Schaffter	Thompson
Parker	Scott	Van Alstine
Pitt	Shane	White
Price	Smith	Whitmore
Rainbow	Stephenson	Wilson
Reed	Stoddard	

Nays, 1.

Coburn

Absent or not voting, 8.

Buser	Kimball	Proudfoot
Cessna	LeCompte	Ratcliff
Foster	Newberry	

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

#### BILLS SIGNED BY PRESIDENT PRO TEM.

President pro tem Arney announced that as president pro tem of the Senate in the presence of the Senate he had signed House Files Nos. 6, 102, 108, 277, 253, 351 and 546.

#### THIRD READING OF BILLS.

On motion of Senator Parker House File No. 262, a bill for an act to amend Section 5256 of the Supplement to the Code, 1913, relating to the appointment of clerks of the grand jury, and fixing salaries thereof, a committee bill, was taken up, and considered.

Senator Parker moved that the rules 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 vote was:

Ayes, 41.

Adams	Fellows	Meredith
Anderson	Foskett	Mitchell
Arney	Foster	Nelson
Balkema	Fralley	Parker
Ball	Hale	Pitt
Brookhart	Haskell	Price
Byington	Holdoegel	Rainbow
Coburn	Horchem	Ratcliff
Edwards	Kingland	Reed
Evans	LeCompte	Rule

Schaffter  
Scott  
Shane  
Stephenson

Stoddard  
Taylor  
Thompson  
Van Alstine

White  
Whitmore  
Wilson

Nays, none.

Absent or not voting, 9.

Broxam  
Buser  
Cessna

Greenell  
Kimball  
Kimberly

Newberry  
Proudfoot  
Smith

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

#### SENATE FILE WITHDRAWN.

By unanimous consent, Senator Parker withdrew Senate File No. 251 from further consideration.

#### THIRD READING OF BILLS.

On motion of Senator Whitmore Senate File No. 308, a bill for an act to repeal section 298, Supplemental Supplement to the code, 1915, as amended by chapter 77, of the Acts of the thirty-seventh General Assembly and Section 481, supplemental supplement to the code, 1915, as amended by chapter 77 of the acts of the thirty-seventh general assembly; and section 491, supplemental supplement to the code, 1915, as amended by chapter 77, of the acts of the thirty-seventh General Assembly; and section 496, supplement to the code, 1913, as amended by chapter 77 of the acts of the thirty-seventh general assembly; and section 510-b, supplemental supplement to the code, 1915, and enacting substitutes therefor, relating to the appointment and compensation of deputy county officers, a committee bill, was taken up, and considered.

Senator Parker offered the following amendment and moved its adoption:

Amend by adding to sections 1, 2 and 3 the following: "Provided that in counties having within their limits a city of 60,000 population or over, the salary of a deputy shall be not less than fifty per cent (50%) nor more than sixty-five per cent (65%) that of his principal, the amount to be determined by the Board of Supervisors."

The amendment was adopted.

Senator Whitmore 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 vote was:

Ayes, 36.

Adams	Greenell	Reed
Anderson	Hale	Rule
Broxam	Haskell	Schaffter
Byington	Holdoegel	Scott
Cessna	Horchem	Shane
Coburn	Kimball	Stephenson
Edwards	Kimberly	Stoddard
Evans	Parker	Thompson
Fellows	Pitt	Van Alstine
Foskett	Proudfoot	White
Foster	Rainbow	Whitmore
Frailey	Ratcliff	Wilson

Nays, 7.

Arney	Buser	Nelson
Ball	Kingland	Price
Brookhart		

Absent or not voting, 7.

Balkema	Mitchell	Smith
LeCompte	Newberry	Taylor
Meredith		

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 Parker, Senate File No. 425, a bill for an act to amend the law as it appears in section twenty-six hundred twenty-nine (2629), Supplement to the Code, 1913, relating to certification of teachers, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Parker 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 vote was:

Ayes, 38.

Adams	Balkema	Broxam
Arney	Ball	Byington

Cessna	Kimberly	Scott
Coburn	Kingland	Shane
Evans	Meredith	Smith
Foskett	Parker	Stephenson
Foster	Pitt	Stoddard
Frailey	Price	Thompson
Greenell	Proudfoot	Van Alstine
Haskell	Rainbow	White
Holdoegel	Ratcliff	Whitmore
Horchem	Rule	Wilson
Kimball	Schaffter	

Nays, 3.

Anderson	Edwards	Nelson
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Absent or not voting, 9.

Brookhart	Hale	Newberry
Buser	LeCompte	Reed
Fellows	Mitchell	Taylor

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

#### MOTION TO RECONSIDER CALLED UP.

Senator Ratcliff called up motion to reconsider vote by which House File No. 224 was indefinitely postponed, and asked that it be placed on the calendar.

Motion prevailed.

Bill was ordered on the calendar.

#### THIRD READING OF BILLS.

On motion of Senator Balkema, House File No. 72, a bill for an act to repeal the law as it appears in section seven hundred sixteen-b (716-b), Supplement to the Code, 1913, as amended by Chapter one hundred fifty-one (151), acts of the Thirty-seventh General Assembly, relative to levying taxes by cities and towns for the purpose of equipping fire departments, and enacting a substitute therefor, 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 by striking out the last line of the bill and inserting in lieu thereof the following: "forty-eight mills."

The amendment was adopted.



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

On the question, "Shall the bill pass?" the vote was:

**Ayes, 30.**

Adams	Foskett	Parker
Anderson	Frailey	Pitt
Arney	Hale	Proudfoot
Balkema	Haskell	Rainbow
Ball	Holdoegel	Reed
Byington	Horchem	Scott
Coburn	Kimball	Shane
Edwards	Kimberly	Stephenson
Evans	Kingland	Stoddard
Fellows	Mitchell	Whitmore

**Nays, 11.**

Brookhart	Nelson	Schaffter
Buser	Price	Smith
Greenell	Ratcliff	Wilson
LeCompte	Rule	

**Absent or not voting, 9.**

Broxam	Meredith	Thompson
Cessna	Newberry	Van Alstine
Foster	Taylor	White

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 Stoddard, House File No. 228, a bill for an act to repeal Chapter 8-A of Title V. of the supplement to the code, 1913, and to enact a substitute therefor authorizing cities to protect property within their limits from danger and damage from floods and high water, by deepening, widening, straightening, altering, diverting, changing or otherwise improving water courses within their limits, by constructing levies, embankments, or conduits therefor, and to provide for the levy of special assessments and other taxes to defray the expenses of such improvements, and the issuance of bonds and certificates in anticipation of such taxes and special assessment. Additional to chapter seven (7) and eight (8) of Title V. of the Code, with report of committee recommending passage, was taken up, and considered, and the report of the committee adopted.

The following amendments filed April 2d were adopted:

1. By inserting after the comma the following word "city" where it appears first in line three of Section 2, the following "or on its own motion,".

2. By striking out the word "benefited" in the fourteenth line of Section 3 and inserting in lieu thereof the word "affected".

3. By inserting after the word "and" in line two of Section 4 the word "may".

4. By striking out the period at the end of Section 18 and inserting in lieu thereof a comma and the following: "and without affecting the validity of preliminary steps already taken under the existing law, so far as applicable, for the purpose of making improvements contemplated by this act, all of which steps shall have the same effect as if taken under the provisions hereof."

Senator Stoddard offered the following amendment and moved its adoption:

Insert the following as Section 1 and renumber balance of sections:

SECTION 1. That the law as it appears in chapter 8-a of title V, Supplement to the Code, 1913, be and the same is hereby repealed.

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Adams  
Anderson  
Arney  
Balkema  
Brookhart  
Broxam  
Byington

Coburn  
Edwards  
Evans  
Foskett  
Frailey  
Greenell  
Hale

Haskell  
Holdoegel  
Horchem  
Kimball  
Kimberly  
Kingland  
Meredith

Mitchell	Reed	Stoddard
Parker	Rule	Van Alstine
Price	Scott	White
Proudfoot	Shane	Whitmore
Rainbow	Smith	Wilson
Ratcliff	Stephenson	

Nays, none.

Absent or not voting, 12.

Ball	Foster	Pitt
Buser	LeCompte	Schaffter
Cessna	Nelson	Taylor
Fellows	Newberry	Thompson

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 Kingland, Senate adjourned until 1:30 p. m., today.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President pro tem Arney presiding.

#### AMENDMENT WITHDRAWN.

- By unanimous consent Senator Arney withdrew the amendment filed by him to Senate File No. 371.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 the following bills:

House File No. 6, a bill for an act requiring the use of the English language as the medium of instruction in all secular subjects in all schools within the state of Iowa.

Also:

House File No. 102, a bill for an act making it a misdemeanor to display, carry or exhibit a red flag with the intent to advocate, encourage or incite anarchy or treason, and providing a penalty therefor.

Also:

House File No. 108, a bill for an act to repeal section twenty-seven hundred twenty-two-j (2722-j) and amend section twenty-seven hundred twenty-two-k (2722-k) of the supplemental supplement to the code, 1915, relating to the benefit that the county board of supervisors may or shall allow persons who have been declared to be blind, and providing who shall be entitled to receive the same.

Also:

House File No. 227, a bill for an act to amend the law as it appears in section twenty-nine hundred-b (2900-b), supplemental supplement to the code, 1915, relating to the sale of lake beds.

Also:

House File No. 253, a bill for an act to amend section twenty-five hundred twenty-seven-a (2527-a) and section twenty-five hundred twenty-seven-c (2527-c) of the supplement to the code 1913, relating to hotel inspection.

Also:

House File No. 351, a bill for an act to amend section two thousand seven hundred and seventy-one (2771), supplement to the code, 1913, relating to filling vacancies on the board of directors of school corporations.

Also:

House File No. 546, a bill for an act defining group life insurance, authorizing chapter six (6) life insurance companies to issue contracts providing for such group life insurance, fixing the terms under which such group life insurance can be written, prescribing certain provisions and conditions to be embodied in such a life insurance contract, and waiving the medical examination required by section seventeen hundred eighty-three-b (1783-b), supplement to the code, 1913, in all cases of such group life insurance.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Report adopted.

#### THIRD READING OF BILLS.

On motion of Senator Horchem House File No. 252, a bill for an act to repeal section seven hundred forty-one-f (741-f), supplemental supplement to the code, 1915, as amended by chapter one

hundred eighty-two (182) and chapter two hundred twenty (220), of the acts of the thirty-seventh general assembly, 1917, relating to the limit of indebtedness in the issuance of city or town hall bonds, and to enact the following in lieu thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Adams	Foskett	Proudfoot
Anderson	Frailey	Rainbow
Arney	Greenell	Reed
Balkema	Hale	Rule
Ball	Haskell	Schaffter
Brookhart	Horchem	Shane
Buser	Kimball	Stephenson
Byington	Kimberly	Stoddard
Cessna	Kingland	Taylor
Coburn	LeCompte	White
Edwards	Meredith	Whitmore
Evans	Parker	Wilson
Fellows	Price	

Nays, none.

Absent or not voting, 12.

Broxam	Nelson	Scott
Foster	Newberry	Smith
Holdoegel	Pitt	Thompson
Mitchell	Ratcliff	Van Alstine

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

#### SENATE FILES WITHDRAWN.

By unanimous consent, Senator Foskett withdrew Senate File No. 183 from further consideration.

By unanimous consent, Senator Anderson withdrew Senate File No. 369 from further consideration.

By unanimous consent, Senator Kimball withdrew Senate File No. 155 from further consideration.

## THIRD READING OF BILLS.

On motion of Senator Taylor House File No. 264, a bill for an act to amend section 254-A 23 of the supplement to the Code, 1913, relating to juvenile courts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted

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

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Adams	Hale	Rainbow
Anderson	Haskell	Reed
Arney	Holdoegel	Rule
Balkema	Horchem	Schaffter
Ball	Kimball	Scott
Brookhart	Kimberly	Shane
Buser	Kingland	Smith
Byington	LeCompte	Stephenson
Cessna	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Nelson	Van Alstine
Fellows	Parker	White
Foskett	Price	Whitmore
Frailey	Proudfoot	Wilson
Greenell		

Nays, none.

Absent or not voting, 7.

Broxam	Newberry	Ratcliff
Evans	Pitt	Thompson
Foster		

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 Frailey House File No. 419, a bill for an act to amend section ten hundred and nine (1009), code, relating to the issuance of warrants in special chartered cities, with report of committee recommending passage, was taken up, and considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was :

Ayes, 42.

Adams	Greenell	Proudfoot
Anderson	Hale	Rainbow
Arney	Haskell	Ratcliff
Balkema	Holdoegel	Reed
Ball	Horchem	Rule
Brookhart	Kimball	Schaffter
Buser	Kimberly	Scott
Byington	Kingland	Shane
Cessna	LeCompte	Smith
Coburn	Meredith	Stoddard
Edwards	Mitchell	Van Alstine
Fellows	Nelson	White
Foskett	Parker	Whitmore
Fralley	Price	Wilson

Nays, none.

Absent or not voting, 8.

Broxam	Newberry	Taylor
Evans	Pitt	Thompson
Foster	Stephenson	

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

Senator Frailey offered the following amendment to the title and moved its adoption:

I move to amend the title of H. F. No. 419 by striking out the word "chartered" in the second line thereof and inserting in lieu the word "charter".

The amendment was adopted and the title as amended was agreed to.

On motion of Senator Van Alstine, Senate File No. 413, a bill for an act to amend Title Twelve (12) Chapter Fifteen (15) of Supplement to the Code, 1913, relative to fish and game and providing for issue of hunting and fishing license, with report of committee recommending passage, was taken up, and considered and the report of the committee adopted.

Senator LeCompte offered the following amendment and moved its adoption:

Amend by inserting the word "public" in line 3 of Section 1 after the word "the" and before the word "waters".

The amendment was lost.

Senator Frailey offered the following amendment and moved its adoption:

"This act shall not apply to the waters of the Mississippi River."

The amendment was adopted.

Senator Price offered the following amendment and moved its adoption:

Amend by adding thereto the following as Section 3:

"Provided that the provisions of this act shall apply only to fishing in lakes and streams stocked with fish by the department of fish and game of Iowa"

and renumbering Section 3 as Section 4.

Senator Price invoked rule 8.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 22.

Adams	Holdoegel	Reed
Arney	Horchem	Shane
Halkema	Kimball	Smith
Brookhart	Kimberly	Stephenson
Fellows	LeCompte	Van Alstine
Foskett	Meredith	Wilson
Frailey	Nelson	
Greenell	Price	

Nays, 25.

Anderson	Hale	Ratcliff
Ball	Haskell	Rule
Buser	Kingland	Schaffter
Byington	Mitchell	Scott
Cessna	Parker	Stoddard
Coburn	Pitt	Taylor
Edwards	Proudfoot	Thompson
Evans	Rainbow	White
Foster		

Absent or not voting, 3.

Broxam	Newberry	Whitmore
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The amendment was lost.



Senator Van Alstine 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 vote was:

**Ayes, 15.**

Adams	LeCompte	Schaffter
Foskett	Nelson	Smith
Poster	Price	Van Alstine
Holdoegel	Rainbow	White
Kimball	Reed	Wilson

**Nays, 30.**

Anderson	Evans	Pitt
Arney	Fellows	Proudfoot
Balkema	Frailey	Ratcliff
Ball	Hale	Rule
Brookhart	Haskell	Scott
Buser	Kimberly	Shane
Byington	Kingland	Stephenson
Cessna	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Parker	Thompson

**Absent or not voting, 5.**

Broxam	Horchem	Whitmore
Greenell	Newberry	

So the bill, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

On motion of Senator Price, Senate File No. 450, a bill for an act to amend chapter Two Hundred Thirty-six (236), of the acts of the Thirty-seventh General Assembly relating to Public Parks and appropriations therefor out of the funds in the Fish and Game Wardens Department and providing for a substitute therefor, with report of committee recommending passage, was taken up and considered and the report of the committee was adopted.

Senator Proudfoot was called to the chair at 2:45 p. m.

Senator Shane moved the previous question, which motion prevailed and the previous question was ordered.

Senator Price 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.

Senator Price invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 29.

Adams	Fralley	Schaffter
Arney	Greenell	Scott
Balkema	Kimball	Shane
Brookhart	Kimberly	Smith
Cessna	LeCompte	Stephenson
Coburn	Meredith	Thompson
Edwards	Mitchell	Van Alstine
Evans	Price	White
Fellows	Rainbow	Wilson
Foster	Reed	

Nays, 18.

Anderson	Haskell	Pitt
Ball	Holdoegel	Proudfoot
Buser	Horchem	Ratcliff
Byington	Kingland	Rule
Foskett	Nelson	Stoddard
Hale	Parker	Taylor

Absent or not voting, 3.

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

Senator Price moved that the vote by which Senate File No. 450 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

Senator Price invoked rule 8.

On the question, "Shall the motion to reconsider to lie on the table prevail?" the vote was:

Ayes, 25.

Adams	Meredith	Scott
Brookhart	Mitchell	Shane
Cessna	Nelson	Smith
Edwards	Pitt	Stephenson
Fellows	Price	Thompson
Fralley	Rainbow	Van Alstine
Greenell	Reed	White
Kimball	Schaffter	Wilson
Kimberly		

Nays, 20.

Anderson	Foskett	Parker
Arney	Foster	Proudfoot
Balkema	Hale	Ratcliff
Ball	Haskell	Rule
Buser	Holdoegel	Stoddard
Byington	Horchem	Taylor
Coburn	Kingland	

Absent or not voting, 5.

Broxam	LeCompte	Whitmore
Evans	Newberry	

The motion prevailed.

On motion of Senator Van Alstine, House File No. 268, a bill for an act to amend section twenty-two hundred and forty-two (2242) of the supplement to the code, 1913, relating to the management of the county home or county farm and providing for the publication of a financial statement by the board of supervisors relating to such county farm or county home, with report of committee recommending passage, was taken up, and considered.

Senator Buser offered the following amendment and moved its adoption:

Amend House File No. 268 by striking from section one thereof beginning at the word "and" in line seven (7) of section one (1), all the remainder of said section and substituting therefor the following:

"of the county home, or county farm, itemizing the same and stating the source thereof, which report shall also set forth the total, (not itemized) of the expenditures of such county farm or home; said report shall also show by inventory the amount of property on hand, at the county farm or home, January 1st of the year in which the report is made and a comparison with the inventory of the county farm or home of the year preceding as provided for in the provisions of this act.

The amendment was adopted.

Senator Van Alstine moved that the rules be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 39.

Adams	Frailey	Proudfoot
Anderson	Greenell	Rainbow
Arney	Hale	Reed
Balkema	Haskell	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Euser	Kimberly	Shane
Byington	Kingland	Smith
Cesna	LeCompte	Stephenson
Coburn	Meredith	Stoddard
Edwards	Mitchell	Van Alstine
Evans	Nelson	White
Fellows	Price	Wilson

Nays, none.

Absent or not voting, 11.

Broxam	Newberry	Taylor
Foskett	Parker	Thompson
Foster	Pitt	Whitmore
Holdoegel	Ratcliff	

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 Rainbow, House File No. 117, a bill for an act making it unlawful to use ferrets to kill or capture rabbits and providing punishment therefor, with report of committee recommending passage, was taken up and considered and the report of the committee adopted.

President pro tem Arney resumed the chair at 3:55 p. m.

Senator Hale moved the previous question.

The motion was lost.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 21.

Adams	Horchem	Price
Anderson	Haskell	Rainbow
Balkema	Kimball	Schaffter
Edwards	Kingland	Scott
Evans	LeCompte	Shane
Fellows	Mitchell	Stoddard
Foster	Nelson	Van Alstine

## Nays, 23.

Arney	Hale	Rule
Ball	Kimberly	Smith
Brookhart	Meredith	Stephenson
Buser	Parker	Taylor
Byington	Pitt	Thompson
Cessna	Proudfoot	White
Coburn	Ratcliff	Wilson
Greenell	Reed	

## Absent or not voting, 6.

Broxam	Fralley	Newberry
Foskett	Holdoegel	Whitmore

So the bill, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

On motion of Senator Schaffter, House File No. 123, a bill for an act to amend the law as it appears in section one thousand and eighty-seven-a twenty-two (1087-a22), supplement to the code, 1913, relating to canvas by the State Board in Primary elections, with report of committee recommending passage, was taken up, considered, and the report of the committee was adopted.

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

On the question, "Shall the bill pass?" the vote was:

## Ayes, 39.

Adams	Greenell	Ratcliff
Anderson	Hale	Reed
Arney	Haskell	Rule
Balkema	Horchem	Schaffter
Ball	Kimberly	Scott
Buser	Kingland	Shane
Byington	Meredith	Smith
Cessna	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Parker	Taylor
Evans	Pitt	Thompson
Fellows	Price	White
Foster	Rainbow	Wilson

Nays, none.

Absent or not voting, 11.

Brookhart  
Broxam  
Foskett  
Fralley

Holdoegel  
Kimball  
LeCompte  
Newberry

Proudfoot  
Van Alstine  
Whitmore

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 Rule, Senate File No. 371, a bill for an act to abolish the state hospital for inebriates at Knoxville, Iowa, to provide wards at the state hospital for the insane, for the detention and treatment of persons addicted to the excessive use of narcotic drugs, to establish a vocational school at Knoxville, Iowa, and making a diversion of funds therefor, and for the repeal of all acts inconsistent with the provisions hereof, was taken up and considered.

The bill was read for information.

Senator Price offered the following amendment and moved its adoption:

Amend section one, by striking out the period at the end of said section and placing a comma in lieu thereof and adding thereto the following: "or to such other state institution under the control of the board of control, as the board of control may determine."

Senator Hale moved the previous question on the amendment and on the bill.

The motion was lost.

The amendment offered by Senator Price was adopted.

Senator Price offered the following amendment and moved its adoption:

Amend section two (2) by inserting after the word "insane" in line 2 of said section the following: "or such other institution under the management of the board of control."

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend by striking out all that part following the period after the end of Section four.

Senator Price invoked rule 8.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 21.

Adams	Byington	Proudfoot
Anderson	Coburn	Scott
Arney	Fellows	Stephenson
Balkema	Foskett	Stoddard
Ball	Foster	Taylor
Brookhart	Hale	Wilson
Buser	Holdoegel	

Nays, 25.

Edwards	Meredith	Rule
Frailey	Mitchell	Schaffter
Greenell	Nelson	Shane
Haskell	Parker	Smith
Horchem	Pitt	Thompson
Kimball	Price	Van Alstine
Kimberly	Rainbow	White
Kingland	Reed	Whitmore
LeCompte		

Absent or not voting, 4.

Broxam	Evans	Newberry
Cessna		

The amendment was lost.

Senator Price offered the following amendment and moved its adoption:

Amend section three (3) by striking the "period" at the end of said section and inserting a comma in lieu thereof and adding thereto the following: "or to such other state institution under the management of the state board of control as the board of control may determine."

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by striking out of section one, line six the words "Hospitals for the insane", and adding after the first amendment adopted the words "except the hospitals for the insane".

The amendment was adopted.

Senator Brookhart offered the following amendment and moved its adoption:

Amend by striking out of line four, section three, the words "hospital for the insane".

The amendment was adopted.

Senator Proudfoot moved that Senate File No. 371 be made a special order for Thursday, April 10th, at 10:00 a. m.

The motion prevailed.

#### MOTION RELATIVE TO SIFTING COMMITTEE.

Senator Proudfoot offered the following motion and moved its adoption:

I move that all bills now upon the calendar, except special orders and committee bills, be turned over to the sifting committee, together with all bills except appropriation bills messaged over from the House, this motion to take effect from adjournment, April 8, 1919.

The motion prevailed.

#### SENATE FILES WITHDRAWN.

By unanimous consent, Senator Wilson withdrew Senate File No. 221 from further consideration.

By unanimous consent, Senator Foster withdrew Senate Files Nos. 264 and 266 from further consideration.

#### THIRD READING OF BILLS.

On motion of Senator Buser, Senate File No. 465, a bill for an act to amend an act of the Thirtieth General Assembly, being Sections nineteen hundred eighty-nine-a1 (1989-a1) to nineteen hundred eighty-nine-a 56 (1989-a56), Supplement to the Code, 1913, and amendments thereto. That Chapter sixty-eight (68) of the Acts of the Thirtieth General Assembly, as amended and as set out in Sections nineteen hundred eighty-nine-a1 (1989-a1) to nineteen hundred eighty-nine-a56 (1989-a56), Supplement to the Code, 1913, and being an act to promote public health, conven-



ience, welfare, etc., be amended by adding thereto the following sections, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend Section 6, line 1, by striking out the word "levy" and inserting the word "levee" in lieu thereof.

Also amend by adding the following sections:

SEC. 9. This act shall not apply to any drainage district that does not have and maintain a pumping plant.

SEC. 10. This act shall not affect pending litigation.

Also re-number the publication clause as Section 11.

Senator Buser 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 vote was:

Ayes, 41.

Adams	Greenell	Ratcliff
Anderson	Haskell	Reed
Arney	Holdoegel	Rule
Baikema	Horchem	Schaffter
Ball	Kimball	Scott
Brookhart	Kimberly	Smith
Buser	Kingland	Stephenson
Byington	LeCompte	Stoddard
Coburn	Mitchell	Thompson
Edwards	Nelson	Van Alstine
Evans	Parker	White
Fellows	Price	Whitmore
Foskett	Proudfoot	Wilson
Frailey	Rainbow	

Nays, none.

Absent or not voting, 9.

Broxam	Hale	Pitt
Cessna	Meredith	Shane
Foster	Newberry	Taylor

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 Van Alstine, Senate J. R. No. 9, a joint resolution relating to the purchase and installation of new desks, in the state house for the use of the members of the Senate and House of Representatives.

Read first and second time and passed on file.

## THIRD READING OF BILLS.

On motion of Senator Edwards, House File No. 423, a bill for an act to amend the law as it appears in chapter forty-nine (49) section twelve (12) of the acts of the thirty-seventh general assembly, relating to board of County prisoners, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 39.

Adams	Haskell	Rainbow
Anderson	Holdoegel	Reed
Arney	Horchem	Rule
Ball	Kimball	Schaffter
Brookhart	Kimberly	Scott
Byington	Kingland	Shane
Cessna	LeCompte	Stephenson
Coburn	Meredith	Stoddard
Edwards	Mitchell	Thompson
Evans	Nelson	Van Alstine
Fellows	Parker	White
Foskett	Price	Whitmore
Fralley	Proudfoot	Wilson

Nays, 1.

Ratcliff

Absent or not voting, 10.

Balkema	Greenell	Pitt
Broxam	Hale	Smith
Buser	Newberry	Taylor
Poster		

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, House File No. 418, a bill for an act to amend section six hundred eighty-three (683), supplement to the code, 1913, and section six hundred eighty-four (684) of the code, providing for passage or adoption of ordinances, resolutions and orders by town councils, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 31.

Adams	Horchem	Reed
Anderson	Kimball	Rule
Arney	Kimberly	Scott
Balkema	Kingland	Stephenson
Ball	Mitchell	Stoddard
Brookhart	Nelson	Thompson
Byington	Parker	White
Coburn	Price	Whitmore
Evans	Proudfoot	Wilson
Foskett	Rainbow	
Haskell	Ratcliff	

Nays, 1.

Meredith

Absent or not voting, 18.

Broxam	Fralley	Pitt
Buser	Greenell	Schaffter
Cessna	Hale	Shane
Edwards	Holdoegel	Taylor
Fellows	Meredith	Van Alstine
Foster	Newberry	

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 Horchem, House File No. 384, a bill for an act to amend section one thousand three hundred seventy (1370), supplement to the code, 1913, relating to equalization of

taxes by township trustees, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Adams	Foskett	Proudfoot
Anderson	Haskell	Rainbow
Arney	Holdoegel	Reed
Balkema	Horchem	Rule
Ball	Kimball	Schaffter
Brookhart	Kimberly	Scott
Buser	Kingland	Stephenson
Byington	Meredith	Stoddard
Cessna	Mitchell	Thompson
Coburn	Nelson	Van Alstine
Edwards	Parker	White
Evans	Price	Wilson
Fellows		

Nays, none.

Absent or not voting, 13.

Broxam	LeCompte	Shane
Foster	Newberry	Smith
Fralley	Pitt	Taylor
Greenell	Ratcliff	Whitmore
Hale		

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

#### MOTION TO RECONSIDER FILED.

MR. PRESIDENT—I move to reconsider the vote by which Senate File No. 120 was indefinitely postponed.

H. S. VAN ALSTINE.

#### THIRD READING OF BILLS.

On motion of Senator Kimball, Senate File No. 527, a bill for an act to legalize a certain election held in the town of Oakland, Pottawattamie county, Iowa, on the 14th day of February, 1919, whereat there was submitted to the voters of said town a proposi-

tion to issue bonds of said town in the sum of \$25,000 for the purpose of constructing a water works system and water supply, and to authorize and legalize bonds to be issued pursuant to said election and to authorize the expenditure of funds for the purpose at said election, a committee bill, was taken up and considered.

Senator Kimball moved that 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 vote was:

Ayes, 33.

Adams	Fellows	Proudfoot
Anderson	Foskett	Rainbow
Arney	Haskell	Reed
Balkema	Horchem	Rule
Ball	Kimball	Schaffter
Brookhart	Kingland	Scott
Buser	Meredith	Smith
Byington	Mitchell	Stoddard
Cessna	Nelson	White
Edwards	Parker	Whitmore
Evans	Price	Wilson

Nays, none.

Absent or not voting, 17.

Broxam	Holdoegel	Shane
Coburn	Kimberly	Stephenson
Foster	LeCompte	Taylor
Frailey	Newberry	Thompson
Greenell	Pitt	Van Alstine
Hale	Ratcliff	

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 Proudfoot, Senate File No. 518, a bill for an act to legalize certain conveyances heretofore made, purporting to convey real property situated within the incorporated town of New Rippey, in Greene County, Iowa, and to correct errors in the title thereto, a committee bill, was taken up and considered.

Senator Proudfoot 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 vote was:

Ayes, 35.

Adams	Fellows	Proudfoot
Anderson	Foskett	Rainbow
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Buser	Kingland	Smith
Byington	Meredith	Stoddard
Cessna	Mitchell	White
Coburn	Nelson	Whitmore
Edwards	Parker	Wilson
Evans	Price	

Nays, none.

Absent or not voting, 15.

Broxam	Kimberly	Shane
Foster	LeCompte	Stephenson
Fralley	Newberry	Taylor
Greenell	Pitt	Thompson
Hale	Ratcliff	Van Alstine

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 Haskell, House File No. 435, a bill for an act to amend section two hundred sixty-nine (269) of the code, and chapter two hundred sixty-seven (267), acts of the Thirty-seventh General Assembly, in relation to the selection and drawing of petit jurors and talesmen for superior courts, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 31.

Adams	Buser	Foskett
Anderson	Byington	Haskell
Arney	Coburn	Holdoegel
Balkema	Edwards	Horchem
Ball	Evans	Kimball
Brookhart	Fellows	Kingland

Mitchell  
Nelson  
Parker  
Proudfoot  
Rainbow

Reed  
Rule  
Schaffter  
Scott

Smith  
Stoddard  
Whitmore  
Wilson

Nays, none.

Absent or not voting, 19.

Broxam  
Cessna  
Foster  
Fralley  
Greenell  
Hale  
Kimberly

Meredith  
LeCompte  
Newberry  
Pitt  
Price  
Ratcliff

Shane  
Stephenson  
Taylor  
Thompson  
Van Alstine  
White

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

#### SPECIAL ORDER ON ROAD BILL.

Senator Balkema asked and was granted unanimous consent, that House File No. 548 be substituted for Senate File No. 496 and that the same stand as special order for April 9th at 10:00 a. m.

#### THIRD READING OF BILLS.

On motion of Senator Haskell House File No. 436, a bill for an act to repeal sections two hundred eighty-a (280-a) and two hundred eighty-b (280-b), supplement to the code, 1913, and to enact substitutes in lieu thereof, in relation to Superior Court jurors, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 31.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Brookhart  
Buser  
Byington  
Coburn  
Edwards  
EVANS

Fellows  
Foskett  
Haskell  
Hoidoegel  
Horchem  
Kimball  
Kingland  
Mitchell  
Nelson  
Parker

Proudfoot  
Rainbow  
Reed  
Rule  
Schaffter  
Scott  
Stoddard  
White  
Whitmore  
Wilson

Nays, none.

Absent or not voting, 19.

Broxam	LeCompte	Shane
Cessna	Meredith	Smith
Foster	Newberry	Stephenson
Frailey	Pitt	Taylor
Greenell	Price	Thompson
Hale	Ratcliff	Van Alstine
Kimberly		

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 Parker House File No. 357, a bill for an act authorizing the issuance of sewer bonds by cities of the first class, including cities operating under the commission form of government, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 27.

Adams	Evans	Proudfoot
Anderson	Foskett	Rainbow
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Byington	Mitchell	Stoddard
Coburn	Nelson	Whitmore
Edwards	Parker	Wilson

Nays, none.

Absent or not voting, 23.

Broxam	Kimberly	Shane
Buser	Kingland	Smith
Foster	LeCompte	Stephenson
Cessna	Meredith	Taylor
Fellows	Newberry	Thompson
Frailey	Pitt	Van Alstine
Greenell	Price	White
Hale	Ratcliff	



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

#### SPECIAL ORDERS.

On motion of Senator Parker, H. F. No. 358 was made a special order for Friday, April 11th, at 3:00 p. m.

On motion of Senator Rule, H. F. No 534 by LeValley, was made a special order for Friday, April 11th, at 11:30 a. m.

On motion of Senator Kimball, H. F. No. 68, by Williams, was made a special order for Friday, April 11th, at 11:00 o'clock a. m.

#### MOTION TO RECONSIDER CALLED UP.

Senator Balkema moved that the vote by which H. F. No. 49 by Moen failed to pass the Senate be reconsidered. The motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 26.

Adams	Foskett	Reed
Anderson	Haskeil	Rule
Arney	Holdoegel	Schaffter
Balkema	Horchem	Scott
Brookhart	Kimball	Stoddard
Byington	Kingland	Van Alstine
Coburn	Mitchell	White
Evans	Parker	Whitmore
Fellows	Rainbow	

Nays, 3.

Ball	Meredith	Wilson
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Absent or not voting, 21.

Broxam	Hale	Proudfoot
Buser	Kimberly	Ratcliff
Cessna	LeCompte	Shane
Edwards	Nelson	Smith
Foster	Newberry	Stephenson
Fralley	Pitt	Taylor
Greenell	Price	Thompson

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

## MESSAGES RECEIVED 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. 386, a bill for an act to make an appropriation to be expended for the protection of the banks of Storm Lake, in accordance with the survey of the Highway Commission.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 make uniform the law of sales of goods, and repealing all acts or parts of acts inconsistent herewith and providing that this act be cited as the Uniform Sales Act.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 51, a bill for an act to amend section one thousand five hundred seventy-b-two (1570-b2) supplement to the code, 1913, relating to the levy of taxes by township trustees for dragging purposes.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed 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 eight hundred seventy-nine-r (879-r), supplemental supplement to the code, 1915, affecting juvenile playgrounds.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 326, a bill for an act repealing Sections 5239-n and 5239-o of chapter 12-A, Supplement to the Code, 1913 and enacting sub-

stitutes therefor relating to arraignments, pleas and judgments on written pleas of guilty in prosecutions on information filed by the County Attorney.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 345, a bill for an act to amend section 1400-c and 1400-h of the Supplement to the Code, 1913, relating to fruit tree reservations.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 145, a bill for an act to amend the law as it appears in section fifteen hundred sixty-five "a" (1565-a) supplement to the Code, 1913, relating to the cutting of weeds.

W. C. RAMSAY, *Chief Clerk.*

Also:

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 investigation of plan for maintenance and operation of a state printing plant for the production of all state printing.

#### CONCURRENT RESOLUTION.

*Be It Resolved by the House of Representatives, the Senate concurring,* that the Committee on Retrenchment and Reform be and is hereby authorized and instructed to make an investigation of the plan of maintenance and operation of a state printing plant for the production of all printing for state purposes, and to report to the next general assembly their findings and such information and recommendations as will show the advisability of erection of a state printing plant for Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has appointed the following conference committee on House File No. 85:

Findlay of Webster  
Moore of Guthrie  
Vander Ploeg of Marion  
Rodgers of Carroll

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 authorizing the Independent School District of Bouton in Dallas County, Iowa, to issue its warrants in excess of the funds available and authorize a tax levy to pay the same.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 289, a bill for an act to amend the law as it appears in sections thirty hundred ninety-two and thirty-one hundred two (3102) of the code, relating to mechanic's lien, and extending the period in which sub-contractors may file their statements and perfect their liens in both public and private work.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 556, a bill for an act to repeal chapter two-b (2-b) of title VIII of the supplement to the code, 1913, relating to the licensing and regulation of motor vehicles and to enact a substitute therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 332, a bill for an act providing for the erection of a Detention or Contagious Disease Hospital and the issuance of bonds covering the costs thereof, and providing for a tax levy to pay such bonds and the interest thereon.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 504, a bill for an act to amend section Nine Hundred Sixteen (916) of the Code, relating to plats of additions in cities and towns.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 272, a bill for an act to amend the law as it appears in Chapter three hundred ten (310) Acts of the 37th General Assembly, relating to the drawing of grand and petit jurors, fixing the number thereof, and regulating the method and number of challenges, and the method of exercising peremptory challenges, and of selecting the petit jury from the panel.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 497, a bill for an act relating to fraternal beneficiary societies, and providing a method whereby any fraternal beneficiary society may be reincorporated as a legal reserve level premium life insurance company.

#### HOUSE AMENDMENTS.

Amend Senate File No. 497 by striking out all of said bill following the period (.) in the fifteenth (15th) line thereof, and by substituting therefor, the following:

"The commissioner may proceed to hear and determine such petition without notice, or, if he deems it necessary that such notice should be given in order to conserve the interests of the membership, he shall require the society to first notify, by mail, all of the members of such society of the pendency of such petition, the contents of such notice to be determined by the commissioner. When notice shall have been given, as above provided, any member of said society shall have the right to appear before said commissioner and be heard with reference to said petition. The commissioner may also make such examination into the affairs and conditions of the society as he deems proper, and shall have power to summon and compel the attendance and testimony of witnesses, and the production of books and papers, and may administer oaths. If satisfied that the interests of the membership of said society are properly protected and that no reasonable objection to said petition exists, the commissioner may authorize in writing, such transformation, or may first require such modification thereof as may seem to him necessary for the best interests of such membership; and the said commissioner shall make such order and disposition of the assets of any such society as in his judgment may be just and equitable.

"SEC. 2. The commissioner shall require the plan of transformation to be submitted to the supreme governing body of such society, to be voted

upon. When submitted, it shall be either at a regular meeting of said supreme governing body or at a special meeting of same called for that purpose. A notice of said special meeting, in the form approved by the Insurance Commissioner, shall be given in accordance with the requirement of the by-laws of such society. When so submitted, a majority vote of the said supreme governing body present and voting, as authorized by its articles of incorporation and by-laws, shall be necessary to an approval of such plan of transformation; and no proxies shall in any case be voted. Any such plan of transformation submitted to the supreme governing body as herein contemplated, must first have been approved by the commissioner of insurance; and the result of said vote must be filed with such commissioner and be by him determined before any transformation shall be so effective. No such transformation shall take place until after its plan has been approved by the commissioner, either with or without a hearing as herein provided, nor until such approved plan has been adopted by a majority vote of the board of directors or board of trustees of such society; nor, if submitted to the supreme governing body, until such approved plan has also been adopted by a majority vote of the said supreme governing body present and voting.

"Sec. 3. Any such society so transformed, shall incur the obligations and enjoy the benefits thereof the same as though originally thus incorporated, and such corporation, under its charter as thus amended, shall be a continuation of such original corporation, and the officers thereof shall serve through their respective terms as provided in the original charter, but their successors shall be elected and serve as in such amended articles provided; but such amendment or re-incorporation shall not affect existing suits, claim or contracts. Any such fraternal beneficiary society taking advantage of this section, to re-organize into a stock company shall offer to each member of said society the privilege of subscribing for and purchasing his or her proportionate amount of capital stock.

"Sec. 4. The existing certificates of membership of any fraternal beneficiary society which shall have transformed itself into a legal reserve level premium life insurance company, in conformity with the provisions of this section shall be valued as follows:

(a) Certificates on which rates of contribution are not on the basis of any table of mortality, valued as yearly renewable term policies according to the standard of valuation of life insurance policies prescribed by the laws of this state.

(b) Certificates on which the rates of contribution are based upon a standard table of mortality specified rate of interest, valued in accordance with such standard.

The reserve so ascertained shall be held as a liability by the company in its annual statement rendered to the insurance department."

"Sec. 5. This act being deemed of immediate importance shall take effect and be in full force from and after its passage and publication, according to law, in the Des Moines Capital, a newspaper published in the

city of Des Moines, Iowa, and the Cedar Rapids Evening Gazette, a newspaper published in the city of Cedar Rapids, Iowa.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 386, a bill for an act to make an appropriation to be expended for the protection of the banks of Storm Lake, in accordance with the survey of the Highway Commission.

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

House File No. 31, a bill for an act authorizing the Independent School District of Bouton in Dallas County, Iowa, to issue its warrants in excess of the funds available and authorizing a tax levy to pay the same.

Read first and second time and referred to sifting committee.

House File No. 289, a bill for an act to amend the law as it appears in sections thirty hundred ninety-two 3092 and thirty-one hundred two (3102) of the code, relating to mechanics liens, and extending the period in which sub-contractors may file their statements and perfect their liens in both public and private work.

Read first and second time and referred to sifting committee.

#### SPECIAL ORDERS.

On motion of Senator Scott, Calendar No. 520, H. F. No. 283, by Hook, was made a special order for 10:00 o'clock a. m., Friday, April 11th.

Senator Parker moved that H. F. No. 510 be made a special order for Friday, April 11th, at 2:00 o'clock p. m. Motion prevailed.

#### CORRECTION OF JOURNAL.

The journal of April 7th was corrected and approved.

#### MOTION FOR SPECIAL ORDER.

Senator White moved that H. F. No. 550 be made a special order for Thursday, April 10th, at 2:30 p. m.

Senator Kimball moved as a substitute for the motion of Senator White that H. F. No. 550 be referred to the joint committee on judiciary.

Senator Proudfoot offered as an amendment to the motion by Senator Kimball, the following:

"I move that H. F. No. 550 and the reports of the sub-committees when reported through the Joint Judiciary Committee all be placed upon the calendar."

Senator Rule moved the previous question on all pending motions.

The previous question was ordered.

Senator Evans made the point of order that a quorum of the Senate was not present.

The roll was called to ascertain the presence of a quorum.

The vote showed as follows:

Present, 22.

Anderson	Kimball	Rule
Arney	Kingland	Schaffter
Balkema	Meredith	Scott
Evans	Parker	Stoddard
Foskett	Proudfoot	Van Alstine
Haskell	Rainbow	White
Holdoegel	Reed	Whitmore
Horchem		

On motion of Senator Evans, the Senate adjourned until 9:00 o'clock a. m., April 9, 1919.



# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 9, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. E. G. Williams, pastor of the First Presbyterian church of Colfax.

## PETITIONS AND MEMORIALS.

Senator Foster presented a communication of W. O. Knapp of Guthrie Center, opposing committee road bill.

Referred to committee on highways.

## HOUSE FILE NO. 550 REFERRED.

Under the order of unfinished business, Senator Whitmore called up House File No. 550, with motions pending for its reference to committee.

Senator Kimball raised the point of order that as the previous question had been ordered, discussion was not in order.

The president stated that he believed that Senator Whitmore was only seeking to give needed information to those who were absent when the matter was up for discussion yesterday.

Senator Evans raised the point of order that all bills should at this time be referred to the sifting committee in accordance with resolution, and that, therefore, all pending motions were out of order.

The president held the point of order not well taken, as the Senate had the power to refer bills otherwise if it so desired.

The following amendment offered by Senator Proudfoot to the substitute motion of Senator Kimball, was considered:

"I move that H. F. No. 550 and the reports of the sub-committees when reported through the Joint Judiciary Committee all be placed upon the calendar."

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 20.

Anderson	Foster	Schaffter
Arney	Frailey	Scott
Balkema	Hale	Stoddard
Broxam	Kimball	Van Alstine
Coburn	Kimberly	Whitmore
Fellows	Newberry	Wilson
Foskett	Proudfoot	

Nays, 24.

Ball	Horchem	Ratcliff
Brookhart	Kimball	Rule
Buser	Kingland	Shane
Byington	Meredith	Smith
Cessna	Mitchel	Stephenson
Edwards	Nelson	Taylor
Evans	Price	Thompson
Greenell	Rainbow	White

Absent or not voting, 6.

Adams	LeCompte	Pitt
Haskell	Parker	Reed

The amendment was lost.

Senator Kimball's substitute motion to refer House File No. 550 to the joint committee on judiciary, was taken under consideration.

Senator Parker raised the point of order that the previous question having been ordered, the Senator was out of order in discussing the motion.

The president held that the point of order was not well taken, as Senator Kimball had the right to a closing speech on his motion proposed.

On the question, "Shall the substitute motion prevail?" the vote was:

## Ayes, 26.

Ball	Greenell	Price
Brookhart	Horchem	Rainbow
Buser	Kimball	Ratcliff
Byington	Kingland	Shane
Cessna	Meredith	Smith
Edwards	Mitchell	Stephenson
Evans	Nelson	Taylor
Fellows	Newberry	Thompson
Foskett	Pitt	

## Nays, 20.

Adams	Hale	Scott
Anderson	Holdoegel	Stoddard
Arney	Kimberly	Van Alstine
Balkema	Parker	White
Broxam	Proudfoot	Whitmore
Coburn	Rule	Wilson
Foster	Schaffter	

## Absent or not voting, 4.

Fralley	LeCompte	Reed
Haskell		

The motion prevailed.

## AMENDMENTS FILED.

Senator Proudfoot filed the following amendments, and asked that they be printed in the journal:

Amend Senate File Three Hundred Seventy-one (371) as follows:

By striking from said bill Sections Five (5), Six (6) and Seven (7) and substituting in lieu thereof the following:

Sec. 5. There is hereby located and established at Knoxville, Iowa, in and upon the property heretofore known as the state hospital for inebriates at Knoxville, Iowa, the Juvenile Home, provided for and established by act of this General Assembly under Senate File Two Hundred Twenty-seven (227), and said act so establishing said Juvenile Home is by this act made to apply to the property owned by the State at Knoxville, Iowa, except as hereinafter provided.

Sec. 6. Section thirteen (13) of the act of this General Assembly known as Senate File Two Hundred Twenty-seven (227), and which act authorized the creation and establishment of a Juvenile Home, is hereby repealed.

Sec. 7. For the purpose of carrying into effect the provisions of Section Five (5) hereof, there is hereby created the Juvenile Home fund, to which is hereby transferred all moneys and funds heretofore appropriated for the maintenance and support of said state hospital for inebriates.

Also strike out the title and insert the following in lieu thereof:

#### A BILL FOR AN ACT

To abolish the state hospital for inebriates at Knoxville, Iowa, to provide wards at the state hospital for the insane, or at such other institutions as the Board of Control may determine, for the detention and treatment of persons addicted to the excessive use of narcotic drugs, to establish a Juvenile Home at Knoxville, Iowa, repealing Section Thirteen (13) of Senate File No. Two Hundred Twenty-seven (227) of the Acts of the Thirty-eighth General Assembly, and making a transfer of funds to the Juvenile Home fund, and repealing all acts inconsistent with the provisions hereof.

#### RESIGNATION OF COMMITTEE CLERK.

April 9, 1919.

Lieutenant Governor E. R. Moore,  
President of the Senate.

DEAR SIR—I hereby tender my resignation as committee clerk of the Senate, as of April 8, 1919.

Very truly yours,

LAURA SCHULZE.

The resignation was accepted.

#### THIRD READING OF BILLS.

On motion of Senator Price, Senate File No. 357, a bill for an act to provide for the levy and collection of a tonnage tax on all coal mined and sold in Iowa, by coal mining companies and that the said tax shall be used for the support of schools where miners' children are educated, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Newberry offered the following amendments and moved their adoption:

Amend by striking out of line three of Section one the word "tax" and inserting in lieu thereof the word "fee"; and by striking out of line one of section two the word "taxes" and inserting in lieu thereof the word "fees"; by striking out the period in line three of section two and inserting in lieu thereof a comma and adding thereto the following: "which shall be in lieu of all taxes on said coal"; and by striking out the word "tax" in line four of section two and inserting in lieu thereof the word "fee"; by striking out of lines seven and ten of section three, respectively, the word "tax" and inserting in lieu thereof at each place the word "fee".

The amendments were adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

SECTION 1. "There is hereby appropriated from the State Treasury out of funds not otherwise appropriated the sum of fifty thousand dollars (\$50,000.00), or so much thereof as may be necessary, to be used by the State Superintendent of Public Instruction, and under his direction, during the next biennium for the purpose of relieving the conditions existing in the mining camps in the State of Iowa, so far as school facilities are concerned.

The amendment was adopted.

On motion of Senator Proudfoot the bill was referred to committee on appropriations.

#### CALL OF THE SENATE.

The following call of the Senate was filed:

We, the undersigned members of the Senate, request a call of the Senate on the consideration of House File No. 548.

J. D. BUSER,  
A. M. FELLOWS,  
J. M. WILSON,  
J. L. BROOKHART,  
W. J. GREENELL,  
M. B. PITT,  
GEO. W. BALL,  
J. K. HALE,  
W. T. EVANS,  
J. A. STEPHENSON,  
D. W. KIMBERLY,  
B. J. HORCHEM,  
O. A. BYINGTON.

The roll call showed as follows:

Present, 49.

Adams	Coburn	Horchem
Anderson	Edwards	Kimball
Arney	Evans	Kimberly
Balkema	Fellows	Kingland
Ball	Foskett	LeCompte
Brookhart	Foster	Meredith
Broxam	Frailey	Mitchell
Buser	Greenell	Nelson
Byington	Hale	Newberry
Cessna	Holdoegel	Parker

Pitt	Schaffter	Taylor
Price	Scott	Thompson
Proudfoot	Shane	Van Alstine
Rainbow	Smith	White
Ratcliff	Stephenson	Whitmore
Reed	Stoddard	Wilson
Rule		

Absent, 1.

Haskell

The sergeant-at-arms was instructed to bring the absent member into the Senate Chamber.

Senator Haskell appeared in the Senate chamber making the total membership present.

#### THIRD READING OF BILLS.

On motion of Senator Balkema, House File No. 548, a bill for an act to coordinate the work of the State of Iowa and the Government of the United States relative to road improvements, to provide and define a system of primary and secondary roads in each county and to provide for the extension of such primary system, to provide for the improvement and maintenance of such roads and to prescribe the procedure therefor, to extend certain options to each county in the improvement of its roads, to provide the funds to pay the cost of such improvements and to regulate the division, accounting and disbursement of such funds, to authorize, in certain cases, the levy of limited special assessments upon real estate which abutts upon or is adjacent to such road improvements, in order to defray a part of the cost thereof and to regulate and prescribe the procedure in consummating such assessments and the collection and application thereof, to authorize and regulate the anticipation by each county of the funds (including special assessments) provided by this act for road improvements, to authorize the submission to the voters of each county of the question of issuing bonds of the county in order to secure immediate funds to carry on such improvements, and of levying an annual tax on all the property of the county to pay the annual interest on said bonds and to pay any deficiency in the principal of such bonds which cannot be met by other funds provided by this act, to authorize the submission to the voters of the county of the question of validating specified contracts for the improvement of highways and the question of issuing the bonds

of the county in order to carry out such contracts, and of levying an annual tax to pay the annual interest on such bonds and to pay any deficiency in the principal of such bonds which cannot be met by other funds provided by this act, to provide the procedure for submitting all such questions to the voters for the determination of the result of such submission, to provide the procedure for the levying of taxes and for the form, conditions, issuance, application, disbursement, and payment of authorized bonds and the interest thereon to limit the amount of bonds which may be issued under any vote of authorization, to empower township trustees to levy an additional tax of two mills for township roads, to provide for the purchase, lease, receipt and distribution of equipment in aid of the improvements provided by this act and to authorize the payment of the cost of such equipment, to prohibit and punish violations of this act, to repeal section one thousand five hundred seventy-one-m thirty-two (1571-m32), supplemental supplement to the code, 1915, and to enact a substitute therefor, to amend paragraph five (5) of section one thousand three hundred three (1303) supplemental supplement to the code, 1915, to repeal sections fifteen hundred twenty-seven-f (1527-f) to section fifteen hundred twenty-seven-r (1527-r), supplement to the code, 1913, and all existing acts and parts of acts in conflict with this act, to provide for the printing and distribution of this act, and to provide the time when the same shall take effect, substituted for Senate committee bill, Senate File No. 496, was taken up for consideration.

President pro tem Arney was called to the chair at 10:45 a. m.

Senator Buser called up the amendment previously filed by him and found on pages 1692—1718 of the Senate journal of April 7th, and moved its adoption.

Senator Whitmore moved that the reading of the amendment be dispensed with.

The motion was withdrawn.

On motion of Senator Rule, Senate took a recess until 1 p. m., today.

#### AFTERNOON SESSION.

Senate reconvened, President Moore presiding.

The roll was called and showed the following:

## Present, 44.

Anderson	Greenell	Ratcliff
Arney	Hale	Reed
Balkema	Haskell	Rule
Ball	Hochem	Schaffter
Brookhart	Kimball	Scott
Broxam	Kimberly	Shane
Buser	Kingland	Smith
Byington	LeCompte	Stephenson
Cessna	Meredith	Taylor
Coburn	Nelson	Thompson
Evans	Newberry	Van Alstine
Fellows	Parker	White
Foskett	Pitt	Whitmore
Foster	Price	Wilson
Frailey	Proudfoot	

## Absent, 6.

Adams	Holdoegel	Rainbow
Edwards	Mitchell	Stoddard

The sergeant-at-arms was instructed to secure the attendance of the absentees.

Senators Holdoegel, Edwards and Mitchell appeared in the Senate chamber.

Senators Rainbow, Adams and Stoddard appeared in the Senate chamber, making the total membership present.

Senator Buser asked and was granted unanimous consent to strike the word "not" from line 18, section 55 of the amendment.

Senator Parker was called to the chair at 2:30 p. m.

President Moore resumed the chair at 3:45 p. m.

Senator Rule moved the previous question on the amendments offered by Senator Buser, which motion prevailed and the previous question was ordered.

Senator Buser moved the adoption of his amendment, with the exception of Section 55.

On the question, "Shall the amendment be adopted?" the vote was:



## Ayes, 21.

Ball	Greenell	Pitt
Brookhart	Kimball	P:ice
Buser	Kingland	Proudfoot
Cessna	LeCompte	Ratcliff
Edwards	Meredith	Smith
Evans	Mitchell	Stephenson
Frailey	Nelson	Thompson

## Nays, 29.

Adams	Hale	Schaffter
Anderson	Haskell	Scott
Arney	Holdoegel	Shane
Balkema	Horchem	Stoddard
Broxam	Kimberly	Taylor
Byington	Newberry	Van Alstine
Coburn	Parker	White
Fellows	Rainbow	Whitmore
Foskett	Reed	Wilson
Foster	Rule	

The amendment was lost.

Senator Buser moved the adoption of section 55 of his amendment.

Senator Whitmore raised the point of order that all further vote upon the amendment was out of order, the previous question having been ordered; and also that there could be no division of the question.

The president held the point of order not well taken, holding that Senator Buser was clearly within his rights in asking for a division.

Senator Foster raised the point of order that, under the motion as originally made by Senator Buser, found on page 1692 of the Senate Journal, when his amendment was filed proposing to strike out all after the enacting clause of the bill, if section 55 were now adopted, there would be nothing remaining in the bill except this section.

The president held the point of order well taken and stated that after an examination of the preamble in Senator Buser's motion, he was of the opinion that the statement made by Senator Foster was correct, and that if the Senate wished to get proper action at this time on section 55, it should be presented as a separate amendment.

Senator Buser asked unanimous consent to withdraw section 55 of his amendment and offer it as a separate amendment to the bill.

Senator Kimball objected to the withdrawal.

Senator Whitmore raised the point of order that Senator Buser, having withdrawn section 55, no more amendments could be offered, the previous question having been ordered.

The president held the point of order not well taken as objection had been made to the withdrawal and, therefore, the amendment had not been withdrawn.

Senator Evans asked unanimous consent that Senator Buser be allowed to withdraw section 55.

Senator Kimball withdrew his objection to the withdrawal.

Senator Price offered the following amendment and moved its adoption:

I move to amend House File 548 by striking therefrom the following: "If prior to July 1st in any year the voters in any county in number equal to twenty per cent of the number voting at the last general election shall petition the board of supervisors, in writing, so to do, the board shall submit to the voters of the county, at the next general election or special election called for that purpose, which shall be held not later than ninety days after the filing of said petition the question whether hard surfacing shall be done on the primary road system in said county under this act. The board shall, in the event of such election, be governed by the result thereof. Such election, however, shall not interfere with or affect work under construction or under contract. Notice of such election shall be given as provided in section twenty-five of this act and said notice and the ballot shall contain substantially the proposition to be voted on and the time said election will be held. Special elections shall be held in the same manner as general elections. Said elections shall not be held in any county oftener than once in two years." As found on page 1565 and page 1566 of House Journal of date, April 2nd 1919 and substitute therefor the following: "provided, however, that the provisions of this act, as to the hard surfacing or graveling of any primary road, shall not become effective or operative in any county of the state until first having been approved by a majority vote of the people of such county at a general election, or special election called for that purpose and the board of supervisors of any county, on its own motion, may submit to the electors of such county at a general or special election the question 'shall the board of supervisors be authorized to hard surface (here designate the district) the primary roads of this district of the county', and upon an affirmative majority vote on said question the board of supervisors shall

forthwith proceed to carry into effect the provisions of this act". That such question shall not be submitted, to election, not oftener than once in two fiscal years.

Further consideration was deferred.

On motion of Senator Kimball, Senator Newberry was excused from the call of the Senate on account of illness.

#### AMENDMENTS FILED.

Senator Price filed the following amendments:

Amend House File 548 as follows: by striking therefrom all of section five and substituting in lieu thereof the following: Section 5. "The state highway commission shall open an account with each county in the state in relation to the primary road fund keeping a record of the amount due to each county from all sources to-wit: federal aid, automobile taxes, assessment on abutting property collected by taxation or otherwise as provided in this act but all funds so due or to become due any county shall immediately upon receipt of the same be transmitted to the treasury of each county of the state, and all taxes levied, assessments on abutting benefited property and all moneys received from sale of bonds as contemplated in this act shall be collected by the county treasurer of each respective county and remain in such treasury until paid out upon warrants as provided for in this act, any other provision in this act or parts hereof or the existing statutes of this state to the contrary notwithstanding."

Said account shall also show the amount of each separate authorization of bonds or road certificates hereunder, and the amount, number, date, maturity, and interest rate of each series of bonds or certificates issued by the county under this act. The said commission shall, at all proper times, keep each county fully informed as to the state of its account.

Also by striking out the period after the word "court" in line 14 section 19 a "period" and inserting in lieu thereof a "comma" and adding thereto the following: "subject to the right of appeal to the district and supreme court."

On motion of Senator Frailey, the call of the Senate was raised.

#### 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. 93, a bill for an act to limit the commencement of an action for the recovery of an interest in real estate, based upon a claim arising prior to A. D. 1900, unless notice of such claimed right or interest is given as herein provided.

#### HOUSE AMENDMENT.

Sec. 5. Provided, however, that nothing contained in this act shall affect pending litigation.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 557, a bill for an act giving Boards of Supervisors, City and Town Councils, and School Boards the authority and power to employ visiting or public health nurses and to pay the salary and expenses thereof.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 repeal section four hundred twenty-four (424) of the code and to enact a substitute therefor relating to appropriations which may be made by the board of supervisors for the construction of bridges.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 538, a bill for an act to amend section five thousand seventy-seven a six (5077a6), five thousand seventy-seven a eleven (5077a 11), five thousand seventy-seven a twelve (5077a 12) and five thousand seventy-seven a twenty-three (5077a23) and to repeal sections five thousand seventy-seven a fifteen (5077a 15), five thousand seventy-seven a sixteen (5077a 16), five thousand seventy-seven a seventeen (5077a 17), five thousand seventy-seven a eighteen (5077a 18), five thousand seventy-seven a nineteen (5077a 19), five thousand seventy-seven a twenty (5077a20), five thousand seventy-seven a twenty-one (5077a21) and five thousand seventy-seven a twenty-two (5077a22) and to enact a substitute for such sections relating to agricultural seeds and the labeling, buying, selling and testing of such agricultural seeds.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in the following senate concurrent resolution, in which the concurrence of the House was asked:

*Be It Resolved by the Senate of the State of Iowa, the House concurring:*

That, the Committee having in charge the investigation of the charge of misappropriation of funds belonging to the State of Iowa appropriated for the purpose of making an Iowa Exhibit at the Panama Exposition, is hereby authorized to incur such expense, not to exceed one hundred dollars (\$100.00) as may be necessary to secure witnesses and for the preservation of the evidence so taken and the records, in conducting their investigation of the charges made in expenditure and accounting of said funds. Said expenses to be included in the Omnibus Bill to be passed by the Thirty-Eighth General Assembly.

PITT,  
FOSKETT,  
THOMPSON,  
BROOKHART,  
BUSER.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 206, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 307, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 533, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 503, a bill for an act to legalize certain warrants issued by the Board of Supervisors of Wapello County, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 277, a bill for an act to establish a state psychopathic hospital especially designed, equipped and administered for the care, observation and treatment of persons who are afflicted with abnormal mental conditions, and providing for method of hearing complaint as to persons so afflicted and commitment following such hearing, and making appropriation for the establishment of such hospital.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 430, a bill for an act to amend the law as it appears in section twenty-five hundred thirty-eight-r (2538-r) supplement to the Code, 1913, relating to commission of animal health.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 523, a bill for an act to amend the law as it appears in Section Two (2), Chapter Four hundred twenty-eight (428), acts of the Thirty-seventh General Assembly of Iowa, authorizing certain Insurance Companies to insure against loss or damage resulting from personal injury or death caused by error or negligence of the insured in the practice of medicine, surgery or dentistry, or in the prescribing or dispensing of drugs or medicines.

W. C. RAMSAY, *Chief Clerk.*

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate Files Nos. 321, 381, 161, 402, 275, 267, 8, 159, 95, 457, 410, 115, 392, 420 and 178.

On motion of Senator Frailey, Senate adjourned until 9:00 a m. Thursday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, April 10, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. F. W. Simpson, pastor of the Methodist Episcopal church of Atlantic.

## CALL OF THE SENATE.

The following call of the Senate was filed:

We, the undersigned members of the Senate, request a call of the Senate on the consideration of House File No. 548.

CHESTER W. WHITMORE,  
B. M. STODDARD,  
W. H. ARNEY,  
P. C. HOLDOEGEL,  
J. M. WILSON,  
A. L. RULE,  
A. M. PARKER,  
J. K. HALE,  
W. W. ANDERSON,  
JOHN W. FOSTER,  
H. S. VAN ALSTINE,  
H. I. FOSKETT,  
H. C. WHITE,  
G. F. COBURN,  
H. C. ADAMS,  
A. L. BROXAM.

The roll was called and showed as follows:

Present, 47.

Adams	Byington	Fralley
Anderson	Cessna	Greenell
Arney	Coburn	Hale
Balkema	Edwards	Haskel
Ball	Evans	Horchem
Brookhart	Fellows	Kimball
Broxam	Foskett	Kimberly
Buse	Foster	Kingland

LeCompte	Ratcliff	Stoddard
Meredith	Reed	Taylor
Mitchell	Rule	Thompson
Nelson	Schaffter	Van Alstine
Parker	Scott	White
Price	Shane	Whitmore
Proudfoot	Smith	Wilson
Rainbow	Stephenson	

Absent, 3.

Holdoegel                      Newberry                      Pitt

Senator Proudfoot moved that Senator Newberry be excused from the call on account of illness.

The motion prevailed.

The Sergeant-at-Arms was instructed to secure the attendance of absentees.

Senators Holdoegel and Pitt appeared in the Senate chamber, making the total membership present with the exception of Senator Newberry, excused.

Senator Arney moved that further action on House File No. 548 be deferred until 2:00 p. m., today and that the bill with all pending amendments be referred to a committee of six to be appointed by the president, to report back at that time.

The motion prevailed.

Senator Foster moved that the call of the Senate be raised.

Senator Whitmore moved as a substitute that the call be suspended until 2:00 p. m.

The substitute motion prevailed.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled House File No. 95, a bill for an act to amend the law as it appears in Section Five Hundred Eighty Six (586) Supplemental Supplement to the Code, 1915, relating to the powers and duties of Township Trustees with reference to cemeteries.



Also:

Senate File No. 457, a bill for an act to legalize the action and acts of the County Superintendent of Floyd County, Iowa, and of the Board of Directors and officers of the School Township of Union, in the County of Floyd, State of Iowa, preliminary to, and in connection with, a special election held on the 14th day of March, 1919, whereat there was submitted to the voters residing in or upon Sections Seven (7) Eight (8), Nine (9), Ten (10), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), Thirty (30), Thirty-one (31), Thirty-two (32), Thirty-three (33), and Thirty-four (34), all in Township ninety-four North, Range seventeen West of the Fifth Principal Meridian, within Union Township, Floyd County, Iowa, the question of the establishment of a consolidated independent school district comprising the said Sections of land, to be known as Consolidated Independent School District of Marble Rock, in the County of Floyd, State of Iowa; and to legalize the said special election and all acts and proceedings leading up to and resulting in, the formation and establishment of the said consolidated independent school district, and to validate and establish the formation of the said consolidated school district.

Also:

Senate File No. 159, a bill for an act to amend the law as it appears in Chapter 8-A Title XII, Supplement to the Code, 1913, as amended, by repealing sections 2477-m 9 (b), as amended by Chapter 270 Acts of the 37th General Assembly of Iowa, section 2477-m 9 (d), section 2477-m 9 (j) (13) and (15), section 2477-m 15 (f) and section 2477-m 29, Supplement to the Code, 1913, and by enacting substitutes for each of the sections so repealed; also by so amending said Chapter 8-A as to increase the basis of compensation from 50 to 60 per cent of the average weekly wage; also by amending section 2477-m 9 (j), Supplement to the Code, 1913, by adding thereto a paragraph providing that compensation for the loss of the second eye shall be paid for a period of two hundred weeks, all relating to the law known as the Iowa Workmen's Compensation Act.

Also:

Senate File No. 392, a bill for an act to amend section forty-nine hundred thirteen-a (4913-a) of the supplement to the code, 1913, relating to the crime of bringing to state institutions or inmates drugs, liquors, weapons, explosives or articles aiding escape.

Also:

Senate File No. 420, a bill for an act to amend Chapter four hundred and one (401), of the laws of the Thirty-seventh General Assembly and relating to filling vacancies in the office of Senator in the Congress of the United States.

Also:

Senate File No. 410, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants of the Town of Panora, in Guthrie County, Iowa.

Also:

Senate File No. 115, a bill for an act to repeal the law as it appears in Section fifty-seven hundred sixteen (5716) Supplemental Supplement to the Code, 1915, and to enact a substitute therefor providing for the compensation and allowances of officers and employees of the Reformatory at Anamosa, Iowa, and the Penitentiary at Fort Madison, Iowa.

Also:

Senate File No. 321, a bill for an act to amend section five thousand sixty-seven-a (5067-a) of the Supplement to the Code, 1913, relating to combinations, pools and trusts, and excepting labor unions from the operation of said section.

Also:

Senate File No. 381, a bill for an act to amend Section one (1) Chapter one hundred ninety-one (191) Acts of the Thirty-Seventh General Assembly relating to soldiers, sailors and marines and widows exemption.

Also:

Senate File No. 161, a bill for an act to amend section forty-six hundred-a (4600-a) of the Supplement to the Code, 1913, relative to fees of Justices of the Peace and Constables.

Also:

Senate File No. 178, a bill for an act to amend the law as it appears in section two thousand five hundred fifteen (2515) of the supplemental supplement to the code, 1915, and relating to the appointment of a dairy and food commissioner, a deputy dairy and food commissioner, a state dairy inspector, assistants, a chemist, and a bacteriologist and assistant chemist, define the power and duties of such officers; and to amend the law as it appears in section two thousand five hundred fifteen-g (2515-g) of the supplement to the code, 1913, relating to penalties for violating the dairy laws enforced by the dairy and food commissioner; and to amend section two thousand five hundred twenty-two (2522) of the supplement to the code, 1913, relating to making reports by manufacturers of certain dairy products; and to amend chapter thirteen (13) of title XII of the code by adding thereto a section relating to the registration and use of marks or brands on containers used for handling skimmed milk, butter-milk, milk, cream and ice cream, also a section relating to the use of the words "butter", "creamery" and "dairy"

on substitutes for butter and advertising material pertaining thereto and to repeal the law as it appears in sections two thousand five hundred fifteen-b (2515-b) and two thousand five hundred fifteen-c (2515-c) of the supplement to the code, 1913, and section two thousand and five hundred fifteen-d (2515-d) supplement to the code, 1913, as amended by chapter three hundred seventy-seven (377), section one (1), acts of the thirty-seventh general assembly, and to enact substitutes therefor relating to the sale of imitation evaporated milk, imitation ice cream, skimmed milk, milk, cream and other dairy products.

Also:

Senate File No. 402, a bill for an act to punish the making of any false entries upon the books of a corporation or other employer by any officer, agent or employe of such corporation or employer.

Also:

Senate File No. 275, a bill for an act to repeal section 4960 and section 4961 of the Code relating to the sale of or gift of spirituous or other liquors or articles of merchandise at camp meetings and other places of religious worship.

Also:

Senate File No. 267, a bill for an act to amend Chapter two hundred sixty-seven (267) of the laws of the 37th General Assembly, relating to the selection of grand and petit juries.

Also:

Senate File No. 8, a bill for an act to amend Section fifty-seven hundred eighteen-a-twenty (5718-a-20), Supplement to the Code, 1913, relating to the discharge of paroled prisoners.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter 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. 95, a bill for an act to amend the law as it appears in Section Five Hundred Eighty Six (586) Supplemental Supplement to the Code, 1915, relating to the powers and duties of Township Trustees with reference to cemeteries.

Also:

Senate File No. 457, a bill for an act to legalize the action and acts of the County Superintendent of Floyd County, Iowa, and of the Board of Directors and officers of the School Township of Union, in the County of Floyd, State of Iowa, preliminary to, and in connection with, a special election held on the 14th day of March, 1919, whereat there was submitted to the voters residing in or upon Sections Seven (7) Eight (8), Nine (9), Ten (10), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), Thirty (30), Thirty-one (31), Thirty-two (32), Thirty-three (33), and Thirty-four (34), all in Township ninety-four North, Range seventeen West of the Fifth Principal Meridian, within Union Township, Floyd County, Iowa, the question of the establishment of a consolidated independent school district comprising the said Sections of land, to be known as Consolidated Independent School District of Marble Rock, in the County of Floyd, State of Iowa; and to legalize the said special election and all acts and proceedings leading up to and resulting in, the formation and establishment of the said consolidated independent school district, and to validate and establish the formation of the said consolidated school district.

Also:

Senate File No. 159, a bill for an act to amend the law as it appears in Chapter 8-A Title XII, Supplement to the Code, 1913, as amended, by repealing sections 2477-m 9 (b), as amended by Chapter 270 Acts of the 37th General Assembly of Iowa, section 2477-m 9 (d), section 2477-m 9 (j) (13) and (15), section 2477-m 15 (f) and section 2477-m 29, Supplement to the Code, 1913, and by enacting substitutes for each of the sections so repealed; also by so amending said Chapter 8-A as to increase the basis of compensation from 50 to 60 per cent of the average weekly wage; also by amending section 2477-m 9 (j), Supplement to the Code, 1913, by adding thereto a paragraph providing that compensation for the loss of the second eye shall be paid for a period of two hundred weeks, all relating to the law known as the Iowa Workmen's Compensation Act.

Also:

Senate File No. 392, a bill for an act to amend section forty-nine hundred thirteen-a (4913-a) of the supplement to the code, 1913, relating to the crime of bringing to state institutions or inmates drugs, liquors, weapons, explosives or articles aiding escape.

Also:

Senate File No. 420, a bill for an act to amend Chapter four hundred and one (401), of the laws of the Thirty-seventh General Assembly and relating to filling vacancies in the office of Senator in the Congress of the United States.

Also:

Senate File No. 410, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants of the Town of Panora, in Guthrie County, Iowa.

Also:

Senate File No. 115, a bill for an act to repeal the law as it appears in Section fifty-seven hundred sixteen (5716) Supplemental Supplement to the Code, 1915, and to enact a substitute therefor providing for the compensation and allowances of officers and employees of the Reformatory at Anamosa, Iowa, and the Penitentiary at Fort Madison, Iowa.

Also:

Senate File No. 321, a bill for an act to amend section five thousand sixty-seven-a (5067-a) of the Supplement to the Code, 1913, relating to combinations, pools and trusts, and excepting labor unions from the operation of said section.

Also:

Senate File No. 381, a bill for an act to amend Section one (1) Chapter one hundred ninety-one (191) Acts of the Thirty-Seventh General Assembly relating to soldiers, sailors and marines and widows exemption.

Also:

Senate File No. 161, a bill for an act to amend section forty-six hundred-a (4600-a) of the Supplement to the Code, 1913, relative to fees of Justices of the Peace and Constables.

Also:

Senate File No. 178, a bill for an act to amend the law as it appears in section two thousand five hundred fifteen (2515) of the supplemental supplement to the code, 1915, and relating to the appointment of a dairy and food commissioner, a deputy dairy and food commissioner, a state dairy inspector, assistants, a chemist, and a bacteriologist and assistant chemist, define the power and duties of such officers; and to amend the law as it appears in section two thousand five hundred fifteen-g (2515-g) of the supplement to the code, 1913, relating to penalties for violating the dairy laws enforced by the dairy and food commissioner; and to amend section two thousand five hundred twenty-two (2522) of the supplement to the code, 1913, relating to making reports by manufacturers of certain dairy products; and to amend chapter thirteen (13) of title XII of the code by adding thereto a section relating to the registration and use of marks or brands on containers used for handling skimmed milk, butter-milk, milk, cream and ice cream, also a section relating to the use of the words "butter", "creamery" and "dairy"

on substitutes for butter and advertising material pertaining thereto and to repeal the law as it appears in sections two thousand five hundred fifteen-b (2515-b) and two thousand five hundred fifteen-c (2515-c) of the supplement to the code, 1913, and section two thousand and five hundred fifteen-d (2515-d) supplement to the code, 1913, as amended by chapter three hundred seventy-seven (377), section one (1), acts of the thirty-seventh general assembly, and to enact substitutes therefor relating to the sale of imitation evaporated milk, imitation ice cream, skimmed milk, milk, cream and other dairy products.

Also:

Senate File No. 402, a bill for an act to punish the making of any false entries upon the books of a corporation or other employer by any officer, agent or employe of such corporation or employer.

Also:

Senate File No. 275, a bill for an act to repeal section 4960 and section 4961 of the Code relating to the sale of or gift of spirituous or other liquors or articles of merchandise at camp meetings and other places of religious worship.

Also:

Senate File No. 267, a bill for an act to amend Chapter two hundred sixty-seven (267) of the laws of the 37th General Assembly, relating to the selection of grand and petit juries.

Also:

Senate File No. 8, a bill for an act to amend Section fifty-seven hundred eighteen-a-twenty (5718-a-20), Supplement to the Code, 1913, relating to the discharge of paroled prisoners.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter from the committee on enrolled bills submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 9th day of April, 1919, sent to the governor for his approval, Senate File No. 321, a bill for an act to amend section five thou-

sand sixty-seven-a (5067-a) of the Supplement to the Code, 1913, relating to combinations, pools and trusts, and excepting labor unions from the operation of said section.

Also:

Senate File No. 381, a bill for an act to amend Section one (1) Chapter one hundred ninety-one (191) Acts of the Thirty-Seventh General Assembly relating to soldiers, sailors and marines and widows exemption.

Also:

Senate File No. 161, a bill for an act to amend section forty-six hundred-a (4600-a) of the Supplement to the Code, 1913, relative to fees of Justices of the Peace and Constables.

Also:

Senate File No. 178, a bill for an act to amend the law as it appears in section two thousand five hundred fifteen (2515) of the supplemental supplement to the code, 1915, and relating to the appointment of a dairy and food commissioner, a deputy dairy and food commissioner, a state-dairy inspector, assistants, a chemist, and a bacteriologist and assistant chemist, define the power and duties of such officers; and to amend the law as it appears in section two thousand five hundred fifteen-g (2515-g) of the supplement to the code, 1913, relating to penalties for violating the dairy laws enforced by the dairy and food commissioner; and to amend section two thousand five hundred twenty-two (2522) of the supplement to the code, 1913, relating to making reports by manufacturers of certain dairy products; and to amend chapter thirteen (13) of title XII of the code by adding thereto a section relating to the registration and use of marks or brands on containers used for handling skimmed milk, butter-milk, milk, cream and ice cream, also a section relating to the use of the words "butter", "creamery" and "dairy" on substitutes for butter and advertising material pertaining thereto and to repeal the law as it appears in sections two thousand five hundred fifteen-b (2515-b) and two thousand five hundred fifteen-c (2515-c) of the supplement to the code, 1913, and section two thousand and five hundred fifteen-d (2515-d) supplement to the code, 1913, as amended by chapter three hundred seventy-seven (377), section one (1), acts of the thirty-seventh general assembly, and to enact substitutes therefor relating to the sale of imitation evaporated milk, imitation ice cream, skimmed milk, milk, cream and other dairy products.

Also:

Senate File No. 402, a bill for an act to punish the making of any false entries upon the books of a corporation or other employer by any officer, agent or employe of such corporation or employer,

Also:

Senate File No. 275, a bill for an act to repeal section 4960 and section 4961 of the Code relating to the sale of or gift of spirituous or other liquors or articles of merchandise at camp meetings and other places of religious worship.

Also:

Senate File No. 267, a bill for an act to amend Chapter two hundred sixty-seven (267) of the laws of the 37th General Assembly, relating to the selection of grand and petit juries.

Also:

Senate File No. 8, a bill for an act to amend Section fifty-seven hundred eighteen-a-twenty (5718-a-20), Supplement to the Code, 1913, relating to the discharge of paroled prisoners.

Also:

Senate File No. 95, a bill for an act to amend the law as it appears in Section Five Hundred Eighty Six (586) Supplemental Supplement to the Code, 1915, relating to the powers and duties of Township Trustees with reference to cemeteries.

Also:

Senate File No. 457, a bill for an act to legalize the action and acts of the County Superintendent of Floyd County, Iowa, and of the Board of Directors and officers of the School Township of Union, in the County of Floyd, State of Iowa, preliminary to, and in connection with, a special election held on the 14th day of March, 1919, whereat there was submitted to the voters residing in or upon Sections Seven (7), Eight (8), Nine (9), Ten (10), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-seven (27), Twenty-eight (28), Twenty-nine (29), Thirty (30), Thirty-one (31), Thirty-two (32), Thirty-three (33), and Thirty-four (34), all in Township ninety-four North, Range Seventeen West of the Fifth Principal Meridian, within Union Township, Floyd County, Iowa, the question of the establishment of a consolidated independent school district comprising the said Sections of land, to be known as Consolidated Independent School District of Marble Rock, in the County of Floyd, State of Iowa; and to legalize the said special election and all acts and proceedings leading up to and resulting in, the formation and establishment of the said consolidated independent school district, and to validate and establish the formation of the said consolidated school district.

Also:

Senate File No. 159, a bill for an act to amend the law as it appears in Chapter 8-A Title XII, Supplement to the Code, 1913, as amended, by



repealing sections 2477-m 9 (b), as amended by Chapter 270 Acts of the 37th General Assembly of Iowa, section 2477-m 9 (d), section 2477-m 9 (j) (13) and (15), section 2477-m 15 (f) and section 2477-m 29, Supplement to the Code, 1913, and by enacting substitutes for each of the sections so repealed; also by so amending said Chapter 8-A as to increase the basis of compensation from 50 to 60 per cent of the average weekly wage; also by amending section 2477-m 9 (j), Supplement to the Code, 1913, by adding thereto a paragraph providing that compensation for the loss of the second eye shall be paid for a period of two hundred weeks, all relating to the law known as the Iowa Workmen's Compensation Act.

Also:

Senate File No. 392, a bill for an act to amend section forty-nine hundred thirteen-a (4913-a) of the supplement to the code, 1913, relating to the crime of bringing to state institutions or inmates drugs, liquors, weapons, explosives or articles aiding escape.

Also:

Senate File No. 420, a bill for an act to amend Chapter four hundred and one (401), of the laws of the Thirty-Seventh General Assembly and relating to filling vacancies in the office of Senator in the Congress of the United States.

Also:

Senate File No. 410, a bill for an act to legalize certain warrants and the issuance and sale of negotiable bonds funding said warrants of the Town of Panora, in Guthrie County, Iowa.

Also:

Senate File No. 115, a bill for an act to repeal the law as it appears in Section fifty-seven hundred sixteen (5716) Supplemental Supplement to the Code, 1915, and to enact a substitute therefor providing for the compensation and allowances of officers and employees of the Reformatory at Anamosa, Iowa, and the Penitentiary at Fort Madison, Iowa.

EUGENE SCHAFFER, *Chairman.*

Adopted.

#### CORRECTION OF JOURNAL.

The journals of April 8th and April 9th were corrected and approved.

## MEMORIAL RESOLUTION.

Senator Stephenson offered the following resolution:

*Whereas*, On the 1st day of April, 1919, Hon. Marion F. Stookey, a former honored member of this body, died at the family home in Leon, Ia.,

And whereas it is fitting that we pay tribute to his life and public services,

*Therefore Be It Resolved*, That the president of the Senate appoint a committee of three to draft suitable resolutions commemorative of his life and services.

By unanimous consent the resolution was taken up, considered and adopted.

The president appointed as such committee Senators Stephenson, Kingland and Price.

## RESOLUTION FOR MEMORIAL SESSION.

The following resolution was offered:

*Be It Resolved*, That Tuesday evening, April 15th, at 8 o'clock P. M. be set aside for the memorial services for deceased members of this body.

J. R. FRAILEY,  
W. W. ANDERSON.

By unanimous consent the resolution was taken up, considered and adopted.

## AMENDMENTS FILED TO ROAD BILL.

I move to amend the pending amendment by striking therefrom the words "or graveling" in the second line thereof.

J. R. FRAILEY.

We move to amend the pending amendment to House File No. 548 by striking out the words "or graveling" and the word "any" in line 20 thereof and by substituting the word "roads" for the word "road" in the same line.

And by inserting in line 24 after the word "submit" the words "and the board shall upon the petition of ten per cent of the electors voting at the last general election shall submit".

And by substituting for the word "district" the word "districts" in the 27th line thereof and by substituting the words "such districts" for the words "this district" in the same line.

E. M. SMITH,  
CLEM F. KIMBALL.

MR. PRESIDENT—I move to amend the amendment offered by Senator Price to House File No. 548 by adding thereto the following:

Provided that the Board of Supervisors shall be authorized to call an election as above provided for without the filing of a petition of the electors of the county, if at a regular or special meeting of the said board a resolution is passed by a majority vote thereof calling said election and fixing a date therefor. It is further provided that said County Board shall be governed by the provisions of this act as to the time in which additional elections can be called.

J. D. BUSER.

#### THIRD READING OF BILLS.

On motion of Senator Rule, Senate File No. 371, a bill for an act to abolish the state hospital for inebriates at Knoxville, Iowa, to provide wards at the state hospital for the insane, for the detention and treatment of persons addicted to the excessive use of narcotic drugs, to establish a vocational school at Knoxville, Iowa, and making a diversion of funds therefor, and for the repeal of all acts inconsistent with the provisions hereof, made a special order for this time, was taken up and considered.

Senator Proudfoot asked unanimous consent to withdraw his amendment filed on April 9th. Senator Rule objected to the withdrawal.

President pro tem Arney was called to the chair at 10:20 a. m.

Senator Kimball offered the following amendment as a substitute for the amendment filed by Senator Proudfoot, and moved its adoption:

Amend by substituting for sections 5, 6 and 7 the following:

SEC. 5. That the Board of Education and Board of Control shall confer together upon the disposition of the property of the state located at Knoxville to determine what best use can be made for the state and report to the next general assembly and shall determine how the same shall be used and cared for in the interim, and that the remaining sections be numbered to correspond with this amendment.

Senator Kimball asked unanimous consent to add to the amendment the following:

Amend by striking out of section 1 line 2 "from and after May 1, 1919" and substitute therefor "at such time as the Board of Control may determine".

Amend by striking out of section 2, line 1 "on or before May 1, 1919," and substitute therefor "at such time as the Board of Control may determine".

Amend by striking out of section 3, line 1 "on and after May 1, 1919" and substitute therefor "at such time as the Board of Control may determine".

Senator Anderson moved the previous question which motion prevailed and the previous question was ordered.

Senator Kimball moved to reconsider the vote by which the previous question was ordered.

Senator Hale moved that the whole matter be laid on the table.

Senator Kimball raised the point of order that the motion of Senator Hale was out of order as a motion was up for consideration.

The point was held not well taken as no motion had been put by the chair.

On the question, "Shall the subject be laid on the table?" the vote was:

Ayes, 9.

Evans	Hale	Scott
Foster	Horchem	White
Frailey	Meredith	Wilson

Nays, 34.

Adams	Haskell	Rainbow
Anderson	Holdoegel	Ratcliff
Balkema	Kimball	Reed
Ball	Kimberly	Rule
Broxam	Kingland	Shane
Buser	LeCompte	Smith
Byington	Mitchell	Stephenson
Cessna	Nelson	Stoddard
Coburn	Parker	Taylor
Edwards	Pitt	Thompson
Fellows	Price	Whitmore
Foskett	Proudfoot	

Absent or not voting, 7.

Arney  
Brookhart  
Greenell

Newberry  
Pitt

Schaffter  
Van Alstine

The motion to table was lost.

Senator Kimball raised the point of order that the vote should be taken on the amendment before the motion to reconsider vote for previous question could be considered.

The president held the point of order not well taken, no motion having been put for the adoption of the amendment.

The motion to reconsider the vote by which the previous question was ordered prevailed.

Senator Brookhart asked unanimous consent to make the following amendment correcting portions of the bill:

Amend section 1 by striking out all after the fifth line and substitute the following:

"Such of the state institutions, except the hospitals for the insane, under the management of the state board of control as the board of control may determine." and substitute for the words stricken out of line four (4), section three (3) the following: "institution provided in section one hereof".

Also strike out of line two (2), section two (2) the words "hospitals for the insane" and the words "or such other" of the amendment interlined.

The amendment was adopted.

Senator Price moved the previous question on all amendments and on the bill which motion prevailed and the previous question was ordered.

On the question, "Shall the amendment offered by Senator Kimball be adopted?" the vote was:

Ayes, 33.

Adams  
Anderson  
Arney  
Ball  
Brookhart  
Broxam  
Buser  
Byington

Coburn  
Evans  
Fellows  
Foster  
Fratley  
Hale  
Haskell  
Horchem

Kimball  
Kimberly  
Kingland  
Meredith  
Mitchell  
Proudfoot  
Rainbow  
Ratcliff

Scott	Stoddard	White
Shane	Taylor	Whitmore
Stephenson	Thompson	Wilson

## Nays, 9.

Cessna	Nelson	Price
Edwards	Parker	Rule
Foskett	Pitt	Smith

## Absent or not voting, 8.

Balkema	LeCompte	Schaffter
Greenell	Newberry	Van Alstine
Holdoegel	Reed	

The amendment was adopted.

Senator Rule 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 vote was:

## Ayes, 30.

Adams	Fralley	Rainbow
Anderson	Haskell	Ratcliff
Ball	Holdoegel	Reed
Broxam	Horchem	Scott
Byington	Kimball	Shane
Buser	Kimberly	Stephenson
Coburn	Kingland	Stoddard
Edwards	Meredith	Thompson
Foskett	Mitchell	White
Foster	Proudfoot	Whitmore

## Nays, 12.

Atney	Nelson	Rule
Evans	Parker	Smith
Hale	Pitt	Taylor
LeCompte	Price	Wilson

## Absent or not voting, 8.

Balkema	Fellows	Schaffter
Brookhart	Greenell	Van Alstine
Cessna	Newberry	

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

President Moore resumed the chair at 11:40.

## MOTION TO RECONSIDER CALLED UP.

Senator Frailey called up the motion to reconsider the vote by which Senate File No. 489 passed the Senate.

The motion to reconsider prevailed.

By unanimous consent, on request of Senator Frailey, House File No. 547, a bill for an act to amend the law as it appears in section 4, chapter 428, acts of the 37th General Assembly of Iowa, and section 5, chapter 428, acts of the 37th General Assembly of Iowa, and section 2, chapter 412, acts of the 37th General Assembly of Iowa, and section 1744, supplement to the code, 1913, and section 1745, supplement to the code, 1913, and section 1783-a, supplement to the code, 1913, and section 1783-d, supplement to the code, 1913, and section 1783-e, supplement to the code, 1913, and section 1790 of the code, and section 1813 of the code; also to repeal the law as it appears in sub-division 1, section 1709, supplement to the code, 1913, as amended by section 1, chapter 428, acts of the 37th General Assembly of Iowa, and to enact a substitute therefor; also to enact a law regulating the investment of the assets of insurance companies and associations, and to provide for the compensation of special insurance examiners; all relating to and providing for certain regulations of all kinds of insurance companies authorized to transact business in the state of Iowa, was substituted for Senate File No. 489.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 33.

Adams	Hale	Ratcliff
Anderson	Haskell	Reed
Arney	Horchem	Schaffter
Balkema	Kimball	Shane
Ball	Kingland	Smith
Buser	LeCompte	Stephenson
Ryington	Mitchell	Stoddard
Edwards	Parker	Van Alstine
Evans	Pitt	White
Frailey	Proudfoot	Whitmore
Greenell	Rainbow	Wilson

Nays, 3.

Coburn	Nelson	Rule
Absent or not voting, 14.		
Brookhart	Foster	Price
Broxam	Holdoegel	Scott
Cessna	Kimberly	Taylor
Fellows	Meredith	Thompson
Foskett	Newberry	

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

#### SENATE FILE WITHDRAWN.

By unanimous consent, Senator Frailey withdrew Senate File No. 489 from further consideration.

#### THIRD READING OF BILLS.

On motion of Senator Smith, Senate File No. 517, a bill for an act to amend Section Two Thousand Six Hundred Thirty-four-b6 (2634-b6), Supplemental Supplement to the Code, 1915; Also to amend Section One (1), Chapter One Hundred Fifty-six (156), Acts of the Thirty-seventh General Assembly; Also to amend Section One (1), Chapter Two Hundred Twenty-five (225), Acts of the Thirty-seventh General Assembly; Also to repeal Chapter Three Hundred Forty-six (346), Acts of the Thirty-seventh General Assembly; Also to repeal Section One (1), Chapter Three Hundred Eighty-six (386), also Chapter Three Hundred Thirty-four (334), Acts of the Thirty-seventh General Assembly, a committee bill, was taken up and considered.

Senator Smith 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 vote was:

Ayes, 37.

Anderson	Haskell	Ratcliff
Arney	Holdoegel	Reed
Balkema	Horchem	Rule
Ball	Kingland	Scott
Broxam	LeCompte	Shane
Buser	Meredith	Smith
Byington	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Parker	Van Alstine
Evans	Pitt	White
Fellows	Price	Whitmore
Greenell	Rainbow	Wilson
Hale		



Nays, none.

Absent or not voting, 13.

Adams	Frailey	Proudfoot
Brookhart	Kimball	Schaffter
Cessna	Kimberly	Taylor
Foskett	Newberry	Thompson
Foster		

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

#### SPECIAL COMMITTEE ON ROAD BILL.

The president appointed the following members as the committee to consider the pending amendments to the road bill, House File No. 548.

Senators Arney, Whitmore, Foster, Smith, Hale and Frailey.

#### THIRD READING OF BILLS.

On motion of Senator Smith, Senate File No. 519, a bill for an act to repeal the law as it appears in Section two thousand seven hundred and forty-four (2744) Supplement to the Code, 1913, relating to schools, and enacting a substitute therefor, a committee bill, was taken up and considered.

Senator Smith 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 vote was:

Ayes, 34.

Anderson	Holdoegel	Reed
Ball	Horchem	Rule
Brookhart	Kimball	Scott
Broxam	Kingland	Shane
Buser	LeCompte	Smith
Byington	Meredith	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Nelson	Van Alstine
Evans	Pitt	Whitmore
Fellows	Rainbow	White
Hale	Ratcliff	Wilson
Haskell		

Nays, none.

Absent or not voting, 16.

Adams	Frailey	Price
Arney	Greenell	Proudfoot
Balkema	Kimberly	Schaffter
Cessna	Newberry	Taylor
Foskett	Parke	Thompson
Foster		

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 concurs in Senate amendments to House File No. 343, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 240, a bill for an act to amend the law as it appears in Section twenty-four hundred sixteen (2416) of the Code, 1897, relating to the disposition of liquors seized and condemned to forfeiture by the court.

#### HOUSE AMENDMENT.

Amend Senate File No. 240 by striking out all after the enacting clause and substituting the following in lieu thereof.

SECTION 1. That section twenty-four hundred and sixteen (2416) of the code be and the same is hereby amended by inserting after the word "decided" in line two thereof the following "by any other than the district court" and by striking all of said section beginning with the word "Issue" in line three of said section and ending with the word "thereon" in line seven and by inserting in lieu thereof the following:

"forthwith file in the office of the clerk of the district court in the county a certified transcript of such judgment and the officer having said liquor in custody shall forthwith deliver the same to the Sheriff, taking itemized receipts therefor and shall file one of said receipts with the clerk of the district court and the other with the court rendering said judgment. The clerk of the district court shall file the transcript as soon as received and enter a memorandum thereof and the date of filing in the judgment docket and from such entry it shall be treated in all respects and in its enforcement as a judgment in the district court," and by adding at the end of said section the following:

"Whenever a transcript has been filed or a judgment has been entered in the district court decreeing a forfeiture of any intoxicating liquors the court, or a judge thereof in vacation, may direct the disposition of such liquor and the vessels containing the same by ordering the destruction thereof, or by ordering any portion thereof consisting of alcohol, brandies, wine or whiskey delivered for medicinal or scientific purposes to any state or reputable hospital in the county or adjoining counties, and shall order any balance remaining, and the vessels containing the same, turned over to the State Board of Control to be dispensed to any state institution or reputable hospital in the State of Iowa to be used

for medicinal or scientific purposes. The state board of control shall issue to the court under whose order the said liquor was delivered to it a receipt stating the kind and quantity of liquor delivered to it and shall keep a strict account of all liquors received and dispensed and shall make a full and complete report of all such transactions each year to the governor of the state.

It shall be the duty of the clerk of the district court to call to the attention of the court on the first day of each term all judgments for the forfeiture of intoxicating liquor and for the disposition of which no order has been theretofore made and the court shall thereupon enter an order for the disposition of such liquors. Upon the entry of any order for the disposition of any intoxicating liquors which have been adjudged forfeited, the clerk shall forthwith transmit a certified copy thereof to the sheriff for execution and the sheriff shall immediately take possession of such liquors, and the vessels containing the same, and make disposition thereof in accordance with such order, and make return of his doings to the court. When any such liquor is ordered delivered or shipped the sheriff shall securely attach to the box or package containing the same a certified copy of the order of the court and thereupon any railway company, express company or other common carrier may receive, transport, and deliver such liquor to the consignee. The cost of packing and transportation shall be paid by the consignee receiving such liquor. The sheriff shall take receipts for any liquor disposed of under the provisions of this section showing in detail the kind and quantity of liquor delivered, the character of the vessels containing the same, the date and manner of delivery and, if delivery is made by common carrier, the name of such carrier. Such receipt shall be attached by the sheriff to and filed with the return of his doings as herein provided for.

Any statute of this state providing for the destruction of intoxicating liquors shall be construed so that the disposition of such liquors under the provisions of this act shall constitute a destruction thereof within the meaning of such statute.

SEC. 2. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Des Moines Register and the Des Moines Capital, newspapers published at Des Moines, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 274, a bill for an act to amend section nineteen hundred eighty-nine-a twenty-six (1989-a26) and section nineteen hundred eighty-nine-a twenty-seven (1989-a27) Supplement to the Code, 1913, relating to length of time for which bonds may be issued and payment made.

W. C. RAMSAY, *Chief Clerk.*

Also:

I 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. 255, a bill for an act to amend Section fifteen hundred twenty-seven-a (1527-a) of the Supplement to the Code, 1913, relating to the transmission of electric light and power.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 222, a bill for an act to amend the law as it appears in section four thousand nine hundred ninety-nine-a eighteen (4999-a 18) of the supplement to the code, 1913, relating to duties and powers of commissioner; and to amend the law as it appears in section four thousand nine hundred ninety-nine-a thirty-one b (4999-a31b) of the supplement to the code, 1913, relating to salaries of assistants; and to amend the law as it appears in section four thousand nine hundred ninety-nine-a thirty-one c (4999-a31c) of the supplemental supplement to the code, 1915, relating to labeling of foods; and to amend section four thousand nine hundred ninety-nine-a thirty-one f (4999-a31f) of the supplemental supplement to the code, 1915, relating to the appropriation of the dairy and food department.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 repeal section sixteen hundred fifty-one (1651) of the code and to enact a substitute therefor relating to the amendment of change of name of articles for incorporation of corporations, not for pecuniary profit.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 560, a bill for an act to provide for the improving of public highways extending through or adjacent to lands belonging to state institutions including draining, grading, oiling, or paving.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 provide for the control and suppression of dangerous, contagious and infectious diseases of domestic animals, and for the inspection of live stock imported into the State of Iowa for breeding, work or dairy purposes; also to provide for the payment of indemnity in co-operation with the Federal Government.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 148, a bill for an act amending Section Number eighteen (18) of Chapter Number four hundred twenty-nine (429) of the Laws of the Thirty-seventh General Assembly, providing for the organizing, admitting, licensing and regulating of insurance companies other than life, by prescribing the amount of capital required for companies insuring livestock exclusively.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 335, a bill for an act to provide for the control and suppression of dangerous, contagious and infectious diseases of domestic animals, and for the inspection of live stock imported into the State of Iowa for breeding, work or dairy purposes; also to provide for the payment of indemnity in co-operation with the Federal Government.

Read first and second time and referred to sifting committee.

House File No. 148, a bill for an act amending Section Number eighteen (18) of Chapter Number four hundred twenty-nine (429) of the Laws of the Thirty-seventh General Assembly, providing for the originating, admitting, licensing and regulating of insurance companies other than life, by prescribing the amount of capital required for companies insuring livestock exclusively.

Read first and second time and referred to sifting committee.

House File No. 222, a bill for an act to amend the law as it appears in section four thousand nine hundred ninety-nine-a eighteen (4999-a 18) of the supplement to the code, 1913, relating to duties

and powers of commissioner; and to amend the law as it appears in section four thousand nine hundred ninety-nine-a thirty-one b (4999-a31b) of the supplement to the code, 1913, relating to salaries of assistants; and to amend the law as it appears in section four thousand nine hundred ninety-nine-a thirty-one c (4999-a31c) of the supplemental supplement to the code, 1915, relating to labeling of foods; and to amend section four thousand nine hundred ninety-nine-a thirty-one f (4999-a31f) of the supplemental supplement to the code, 1915, relating to the appropriation of the dairy and food department.

Read first and second time and referred to sifting committee.

House File No. 177, a bill for an act to repeal section sixteen hundred fifty-one (1651) of the code and to enact a substitute therefor relating to the amendment of change of name of articles for incorporation of corporations, not for pecuniary profit.

Read first and second time and referred to sifting committee.

House File No. 560, a bill for an act to provide for the improving of public highways extending through or adjacent to lands belonging to state institutions including draining, grading, oiling, or paving.

Read first and second time and referred to sifting committee.

House File No. 523, a bill for an act to amend the law as it appears in Section Two (2), Chapter Four hundred twenty-eight (428), acts of the Thirty-seventh General Assembly of Iowa, authorizing certain Insurance Companies to insure against loss or damage resulting from personal injury or death caused by error or negligence of the insured in the practice of medicine, surgery or dentistry, or in the prescribing or dispensing of drugs or medicines.

Read first and second time and referred to sifting committee.

House File No. 312, a bill for an act to repeal section four hundred twenty-four (424) of the code and to enact a substitute therefor relating to appropriations which may be made by the board of supervisors for the construction of bridges.

Read first and second time and referred to sifting committee.

House File No. 538, a bill for an act to amend section five thousand seventy-seven a six (5077a6), five thousand seventy-seven a eleven (5077a 11), five thousand seventy-seven a twelve (5077a 12) and five thousand seventy-seven a twenty-three (5077a23) and to repeal sections five thousand seventy-seven a fifteen (5077a 15), five thousand seventy-seven a sixteen (5077a 16), five thousand seventy-seven a seventeen (5077a 17); five thousand seventy-seven a eighteen (5077a 18), five thousand seventy-seven a nineteen (5077a 19), five thousand seventy-seven a twenty (5077a20), five thousand seventy-seven a twenty-one (5077-a21) and five thousand seventy-seven a twenty-two (5077-a22) and to enact a substitute for such sections relating to agricultural seeds and the labeling, buying, selling and testing of such agricultural seeds.

Read first and second time and referred to sifting committee.

On motion of Senator Haskell, Senate adjourned until 2:00 p. m. today.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

Under the call of the Senate, the roll was called showing the following:

Present, 49.

Adams	Greenell	Rainbow
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kimball	Scott
Broxam	Kimberly	Shane
Buser	Kingland	Smith
Byington	LeCompte	Stephenson
Cessna	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Nelson	Thompson
Evans	Parker	Van Alstine
Fellows	Pitt	White
Foskett	Price	Whitmore
Foster	Proudfoot	Wilson
Frailey		

Absent, 1.

Newberry

Senator Newberry, having been excused, the roll was complete.

## REPORT ON HIGHWAY BILL.

Senator Arney, from the special committee appointed to consider the amendments to the highway bill, submitted the following:

MR. PRESIDENT—Your committee, to whom was referred House File Five Hundred Forty eight (548), unanimously report that they recommend the same be amended as follows:

1. From section six (6) strike out that provision of same reading: "If prior to July 1st in any year the voters in any county in number equal to twenty per cent of the number voting at the last general election shall petition the board of supervisors, in writing, so to do the board shall submit to the voters of the county, at the next general election or special election called for that purpose, which shall be held not later than ninety days after the filing of said petition, the question whether hard surfacing shall be done on the primary road system in said county under this act. The board shall, in the event of such election, be governed by the result thereof. Such election, however, shall not interfere with or affect work under construction or under contract. Notice of such election shall be given as provided in section twenty-five of this act and said notice and the ballot shall contain substantially the proposition to be voted on and the time said election will be held. Special elections shall be held in the same manner as general elections. Said elections shall not be held in any county oftener than once in two years."

2. And substitute the following for the paragraph thus stricken out: "The board of supervisors shall not proceed with hard surfacing of roads until such work shall be authorized by a majority vote of the electors of such county at a general election, or a special election, called for that purpose; and the board of supervisors of any county may, on its own motion, and shall, if petitioned by the voters in any county equal to ten per cent of the number voting at the last general election, to be determined by the number of electors voting for governor thereat, submit to said voters the question whether hard surfacing shall be done on the primary road system, or any portion thereof, in said county. Said petition shall be in writing, giving the name and residence of each signer thereto, and each sheet thereof shall be verified by a resident of the county. The board of supervisors shall be governed by the result of such election, and, if a majority of said voters voting thereon shall vote therefor, the board shall proceed forthwith with the work. Such election, however, shall not interfere with or affect work under construction, or under contract, or federal aid projects already approved at the time of the holding of said election. Notice of such election shall be given as provided in section twenty-five (25) of this act, and the notice shall give the time said election shall be held and the form of the proposition submitted, and such proposition shall be contained in the ballot. Special elec-



tions shall be held in the same manner as general elections. The question of hard surfacing shall not be submitted to a vote in any county oftener than once in twenty-four months.

The question as to hard surfacing of roads and as to issue of bonds under this act may be submitted at the same election. And at the election as to the question of whether or not bonds may be issued, there may be submitted at the same election and upon the same ballot as a separate proposition the question of whether or not hard surfacing may be done. If upon such submission the proposition of hard surfacing is defeated, such vote shall thereby nullify the vote as to the issuance of bonds.

JNO. W. FOSTER,  
ED M. SMITH,  
W. H. ARNEY,  
J. R. FRAILEY,  
CHESTER W. WHITMORE,  
J. K. HALE.

Senator Price asked unanimous consent to strike out the words "two years" in the last line of paragraph 2 and insert in lieu thereof the words "twenty-four months".

Consent was given and the change was made.

Senator Ratcliff offered the following amendment and moved its adoption:

Amend the amendment by inserting after the word "County" in line 4 of section 2 thereof the following:

"both within and without the towns and cities of said County".

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 2.

Ratcliff

Taylor

Nays, 46.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Brookhart  
Broxam  
Buser  
Byington  
Cessna  
Coburn

Edwards  
Evans  
Fellows  
Foskett  
Foster  
Frailey  
Greenell  
Hale  
Haskell  
Holdoegel  
Horchem

Kimball  
Kimberly  
Kingland  
LeCompte  
Meredith  
Mitchell  
Parker  
Pitt  
Price  
Proudfoot  
Rainbow

Reed	Smith	Van Alstine
Rule	Stephenson	White
Schaffter	Stoddard	Whitmore
Scott	Thompson	Wilson
Shane		

Absent or not voting, 2.

Nelson                      Newberry

The amendment was lost.

Senator Kingland offered the following amendment and moved its adoption:

Amend the committee amendment by inserting after the word "election" in line 9 of section 2 the following:

"to be determined by the number of electors voting for governor thereat".

The amendment was adopted.

Senator Schaffter offered the following amendment and moved its adoption:

Amend Section 2 in line 16 by adding after the word "voters" the following words "voting thereon".

The amendment was adopted.

Senator Evans offered the following amendment and moved its adoption:

Amend the pending substitute amendment by striking out the words "twenty-four" in line twenty-eight of section two thereof and substituting in lieu thereof the words "twelve".

The amendment was lost.

Senator Kimball offered the following amendment and moved its adoption:

Amend the amendment of the committee by inserting after the word "work" in the 17th line the following: "and if such proposition shall authorize hard surfacing, the same proposition shall not again be submitted to the electors".

The amendment was lost.

Senator Schaffter moved the previous question on the amendment proposed by the committee, which motion prevailed and the previous question was ordered.

Senator Frailey invoked rule 8.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 48.

Adams	Frailey	Proudfoot
Anderson	Greenell	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Reed
Ball	Holdoegel	Rule
Brookhart	Horchem	Schaffter
Broxam	Kimball	Scott
Buser	Kimberly	Shane
Byington	Kingland	Smith
Cessna	LeCompte	Stephenson
Coburn	Meredith	Stoddard
Edwards	Mitchell	Taylor
Evans	Nelson	Thompson
Fellows	Parker	Van Alstine
Foskett	Pitt	Whitmore
Foster	Price	Wilson

Nays, 1.

White

Absent or not voting, 1.

Newberry

The amendment was adopted.

Senator Whitmore moved the previous question on the bill which motion prevailed and the previous question was ordered.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Adams	Fellows	Kimball
Anderson	Foskett	Kimberly
Arney	Foster	Meredith
Balkema	Frailey	Parker
Broxam	Greenell	Pitt
Byington	Hale	Proudfoot
Coburn	Haskell	Rainbow
Edwards	Holdoegel	Reed
Evans	Horchem	Rule

Schaffter	Stoddard	White
Scott	Taylor	Whitmore
Smith	Thompson	Wilson
Stephenson	Van Alstine	

Nays, 11.

Ball	Kingland	Price
Brookhart	LeCompte	Ratcliff
Buser	Mitchell	Shane
Cessna	Nelson	

Absent or not voting, 1.

Newberry

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 House File No. 548 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

Senator Whitmore moved that the call of the Senate be raised.

The motion prevailed.

#### SUBCOMMITTEE REPORT.

April 9, '19.

MR. PRESIDENT—The undersigned members of the joint subcommittees of judiciary committees Nos. 1 and 2, to whom was referred Senate Files 478 and 508 for the purpose of preparing one bill which might incorporate the best features of both of said bills, beg leave to report that they have examined both of said bills, also House File 550, as amended, which is a companion measure of Senate File 508, and beg leave to report as follows:

Senate File No. 478, otherwise known as the Ways and Means Committee bill, provides in brief as follows:

1. That a permanent license number plate shall be provided for each motor vehicle.
2. That each car shall be registered for a period of twelve months from date of registration, making the collection of the fees distributed over the entire year.
3. That an addressograph shall be used with respect to all work which provides for the registration and collection of fees.

4. That a distinctive serial number shall be used for all cars registered in each county.

5. That all fees shall be paid direct to the County Treasurer of each county, and the County treasurer shall keep in his possession and deliver the annual license plates as called for.

6. That all those applying for permanent license number plates shall apply in person or by agent to the County Treasurer.

7. That no new motor vehicle shall be operated on the highway until its permanent license number plate shall have first been attached.

8. That the license cards shall be issued to each licensee containing name and description of the motor vehicle, signature of owner, etc., to be attached somewhere to the car in order to indicate whether or not the license fee has been paid for the current year, and for assistance in identifying stolen cars.

9. That the license fee be determined by a computation based upon the value and the weight of the car.

10. That no sale or transfer of a motor vehicle can be made without first filing with the department a license card properly assigned.

Senate File No. 508 otherwise known as the Motor Vehicle Committee Bill is based upon the present existing law governing motor vehicles, but with the following changes:

1. License number plates are issued annually.

2. The distribution of the license number plates and the collection of all registration fees is placed in the hands of the County Treasurer of each county.

3. The license fee is placed at a minimum of \$15.00 with a further increase of  $1\frac{1}{2}\%$  on the excess valuation of all cars of more than \$1,000.00 in value.

4. Trucks are especially provided for, and are licensed according to their tonnage capacity.

5. The present plan of issuing dealers' licenses has been abolished, and a special paste board card with "License Applied For", etc., is furnished by the department to each dealer to be used on all new cars until they can secure the annual license number plate, and the dealers' numbers have been increased in price so that the first set of plates cost \$25.00 and all subsequent sets \$15.00, and are to be used by said dealers only on new cars and used for demonstration purposes only.

6. The bill provides further that all chauffeurs shall be licensed. The term chauffeur being defined as one who drives a car carrying passengers or freight for hire.

7. The original registrant shall be personally liable for payment of license fees until transfer is filed with the department.

8. The names of all delinquent licensees are to be published in official county papers.

9. No sale or transfer can be legally made without first filing a license card, properly assigned in the office of the department.

10. A certificate of registration is to be attached to each motor vehicle to aid in the identification of stolen cars.

11. It materially increases license fees of dealers and restricts dealers' numbers to use on new cars in hands of dealers for demonstration purposes only.

12. It repeals in entirety the present motor vehicle law, and adds many features governing the regulation of traffic on the public highways.

13. It is written so as to conform with the present road law.

In considering the two bills the Subcommittee found that Senate File 508 did not attempt to change materially the present law, but with the present law as a basis, sought to introduce many corrective features based upon experience secured during the last few years. Senate File 478, however, contains many innovations, among them being the permanent license number plate, the license card to be attached to the car, the issuing of serial numbers by counties, and the manner of collection of license fees.

It is the opinion of this Subcommittee that the annual license number plate is the only feasible manner of properly marking a car for all purposes. Their theory is that each car should be so marked by a number plate so that any peace officer or any other person will be able to determine in viewing a car either from the front or from the rear and at a considerable distance that the license for that year has been paid. The only way in which this can be determined in the provisions of Senate File No. 478 is by means of a small pasteboard card contained in a holder, the location on the car not having been made, and which will be easily defaced, and in the opinion of this committee is altogether unworkable.

This committee has endeavored to investigate the workings of the addressograph as provided for in Senate File 478, and found that it has been discarded in the present Automobile Department, and it is there considered impracticable, and that it, as applied to Senate File 478, would be very expensive, both as to the material used, and as to help employed, and would not be as efficient as the methods now used or those proposed in Senate File 508. With respect to the county serial numbers as provided in Senate File 478 there are no specific objections to that system of numbering, and in fact would favor it if anything would be accomplished by its adoption. The opinion of this committee is that in order to make it effective each car that changed hands would have to be given a new number plate if it passed outside of the county in which it was originally registered, if the scheme was to accomplish what it was intended should

be accomplished. The annual number plate, however, may reach the same objective, and it would be accomplished by sending to each county a block of plates which would include the estimated number which would be needed for that county for the current year. The committee found upon further investigation that the principal features found in Senate File 478 were innovations in that they have not been adopted by any other state and for that reason there would be no assurance as to how they will work out in practice.

The committee came to the conclusion that the collection features provided for in Senate File 478 were highly complex in that the collection machinery must be in full operation with respect to each car licensed, thus necessitating a large amount of unnecessary labor and expense in the maintenance and operation of the department. On the other hand the plan as adopted in Senate File 508 is largely self-operative and only those cars whose license fees become delinquent would be given attention. But the necessary machinery for collection is created so that it can be called into play whenever a car owner becomes delinquent in the payment of his license fee.

The Committee in the consideration of the bills before it had in mind the principal defects of the present law, among them being the failure of the department to issue license plates promptly when applied for; the comparative ease with which cars once transferred can avoid the payment of the license fee, the abuse of the dealer's license plate, not only by the dealers alone but likewise by many purchasers of new and second-hand cars, the absence of any statute covering the licensing of trucks with a speed velocity of less than ten miles per hour, and last, but not least, the rapid increase in the number of cars stolen each year.

It is the opinion of this committee that by dividing the work of issuing license number plates among the ninety-nine County Treasurers of the state, that each car license can be secured the same day applied for. That by requiring the vendor of each licensed car to first file with the department an assignment of the license issued before legal transfer can be made, and by making the original registrant to be personally liable for the subsequent payments of the license fee until such transfer has been filed with the department will remedy the most serious defect in the present law, and that this change, together with the return to the annual license number plate, will secure the payment of practically all license fees without any effort or expense on the part of the department or the county officers to collect the same.

That the increase of the dealers' license fees from a nominal to a substantial one, and by restricting the use of said plates to new cars in the hands of dealers used only for demonstration purposes, will correct one of the most flagrant abuses of the present law. The provision for the pasteboard license number plate to be given by the department to dealers to be placed on new cars sold, and good for only fifteen days from date of issue will serve to prevent individual owners from hiding under the dealer's number as is now the custom. In addition to the words "License Applied For" the pasteboard number contains the dealer's number, the

date of sale of the car, and any other information that the department might require. By these provisions any peace officer or other person can determine the date of expiration of said license, and in addition it is of no value except to the car to which it was first attached. As a result each purchaser of a new car will be compelled to secure a regular license number plate within fifteen days thereafter, or operate in open violation of the law.

This committee is of the opinion that motor trucks should not be placed in the same class with the average passenger car so far as the determination of the license fee is concerned. In addition to a representation of great value the motor truck is built for the purpose of carrying immense loads and is hence a very destructive agent of the public highways. Besides the average truck is used on the highways constantly. For these reasons it should be made to pay a license fee somewhat higher than the passenger car of equal weight and value.

The scale of license fees thus provided for in Senate File 508 is based upon the facts above set forth, and when viewed in consideration of the values represented by these motor trucks (keeping in mind that the license fee is in lieu of all property taxes) and in comparing said license fees with those of other states it is the opinion of the committee that the license fees here established are fundamentally right, and are not excessive.

The license card which is required to be attached to the car and which includes a minute description of the car, together with signature of owner will make it difficult for those now engaged in the work of stealing cars to continue in that occupation. This last feature is included in both bills now before this committee for consideration as is also the provision requiring the County Treasurers to issue license plates and collect all fees.

Summing up the observations thus made it is the opinion of this committee that Senate File 508 contains the principal features essential to the correction of defects in the present law. That it is clear and concise as to its provisions, simple as well as flexible in its operation and application, and in the production of revenue would secure for the state a sum approximately twice that raised by the present law.

This committee found upon comparing the two bills above described that no one of the distinctive features of Senate File 478 could be successfully incorporated in Senate File 508 and made workable. Besides the committee was of the opinion that some of these same distinctive features were impractical, and would create a highly complex and expensive system of operation.

Finally the committee is informed that House File 550 is a companion measure of Senate File 508, and has now passed the House with but few amendments. For these reasons the committee recommends that House File 550, as amended, be amended as follows, and that when so amended the bill be recommended for passage.

Amend by inserting after line 79, in Section 3, the following:



"Provided, however, that all motor trucks of two tons or greater capacity which shall operate exclusively within the incorporate limits of cities and towns shall pay two-thirds of the license fee herein provided, and the department shall be required to furnish to each of said licensees a distinguishing license number plate that shall be uniform throughout the state."

That Section 14 be amended as follows:

By striking all after the comma in line 22 and substituting the following in lieu thereof:

"That all motor vehicles, trucks excepted, whose annual license fee when new does not exceed \$15.00, shall be given a discount each year of one dollar for a period not to exceed five years, provided further that the license fee in no case shall be less than \$10.00."

That Section 15 be amended as follows:

By striking the word "April" in line 13 therefrom and inserting in lieu thereof the word "March". By striking the word "June" from line 18 of the same section and inserting in lieu thereof the word "May".

House File 550 as amended and passed is attached hereto and made a part of this report.

Respectfully submitted,

W. H. SCOTT,  
ADDISON M. PARKER.

H. F. 550.

BY COMMITTEE ON MOTOR VEHICLES.

#### A BILL FOR AN ACT

To repeal chapter two-b (2-b) of title VIII of the supplement to the code, 1913, relating to the licensing and regulation of motor vehicles and to enact a substitute therefor.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. That chapter two-b (2-b) of title VIII of the supplement to the code, 1913, be and is hereby repealed and the following enacted in lieu thereof,

Sec. 2. The words and phrases used in this act shall for the purposes of this act, unless the same be contrary to or inconsistent with the context, be construed as follows: (1) "motor vehicles" shall include all vehicles propelled otherwise than by muscular power, except trailers and such vehicles as run upon stationary rails or tracks; (2) "automobile" shall include all motor vehicles excepting motorcycles; (3) "motorcycle" shall include all motor vehicles designed to travel on not more than three wheels in contact with the ground, and of not exceeding ten horsepower,

and of not exceeding the weight of seven hundred fifty pounds unladen; provided, however, that any motor vehicle which shall be operated on the public highway drawing a trailer shall be deemed to be an automobile for all purposes of this act; and provided further, that for the purposes of this act, a trailer shall be deemed to be any vehicle, which is at any time drawn upon the public highway by a motor vehicle excepting any implements of husbandry temporarily drawn, propelled or moved upon such highway; (4) "highway" shall include any public highway, county road, state highway or state road, public street, avenue, alley, park, parkway, driveway, square or place, bridge, viaduct, trestle, or any other territory or structure, whether public or private designed, intended or used by or for the general public for the passage of vehicles, in any county, or incorporated city or town within the state of Iowa; (5) "local authorities" shall include all boards of supervisors, trustees or councils, commissions, committees, and other public officials of counties, incorporated cities or towns; (6) "chauffeur" shall mean any person who operates an automobile in the transportation of persons or freight and who receives any compensation for such service in wages, commission or otherwise, paid directly or indirectly, or who as owner or employee operates an automobile carrying passengers or freight for hire; provided, however, that this definition shall not include manufacturers' agents, proprietors of garages and dealers, salesmen, mechanics, or demonstrators of automobiles in the ordinary course of their business; (7) "nonresidents" shall mean residents of states or countries other than the state of Iowa and of countries other than the United States whose sojourn in this state, or whose occupation or their regular place of abode or business in this state, if any, covers a total period of less than three months in the calendar year; (8) "owner" shall include any person, firm, association, or corporation, having the lawful ownership, use or control, or the right to the use or control, of a motor vehicle, under a lease or otherwise, for a period of ten or more successive days; (9) "manufacturer" or "dealer" shall signify a person, firm, association, or corporation regularly in the business of having in his, its or their possession motor vehicles for sale or trade and for use and operation pursuant thereto, and shall be considered owners of motor vehicles manufactured or dealt in by them for the purpose of this act, prior to sale and delivery thereof, and of all motor vehicles in their possession and operated or driven by them or by their agents or employees; provided, however, that anything to the contrary herein notwithstanding, the determination of the department shall be final and conclusive upon the question whether or not an applicant for registration shall be a manufacturer or dealer within the meaning and intent of this act; (10) "garage" shall mean every place of business where motor vehicles are received for housing, storage or repair, for compensation; (11) "intersecting highway" shall mean any highway which joins another at any angle, whether or not it crosses the other; (12) "person" shall include any corporation, association, copartnership, company, firm, or other aggregation of individuals and where the term "person" is used in connection with the registration of a motor vehicle, it shall include any corporation, association, copartnership, company, firm, or other aggregation of individuals which owns or controls such motor vehicle as actual owner, or for the

purpose of sale or for renting, whether as agent, salesman, or otherwise; (13) "department" as used in this act shall mean the secretary of state; (14) "specially constructed" motor vehicle shall mean a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type of a generally recognized manufacturer of motor vehicles; provided, that in case of dispute the determination of the department as to the character of construction of any such motor vehicle shall be conclusive; (15) "reconstructed motor vehicle" shall mean a motor vehicle which shall have been assembled or constructed largely by means of essential parts, new or used, derived from other motor vehicles or makes of motor vehicles of various names, models or types, or which, if originally otherwise constructed, shall have been materially altered by the removal of essential parts, or by addition or substitution of essential parts, new or used, derived from other motor vehicles or makes of motor vehicles, provided, that for the purpose of this act the term "essential parts" shall include, not only integral parts but also body parts such as fenders, hood, cowl, and other parts, the removal, alteration or substitution of which will tend to conceal the identity or substantially alter the appearance of the motor vehicle; and provided, further, that in case of dispute the determination of the department as to the character of such assembly, reconstruction or alteration shall be conclusive; (16) "imported motor vehicle" shall mean any motor vehicle which shall be brought into this state from another country or state otherwise than in the ordinary course of business by or through a manufacturer or dealer, and which has not been registered in this state, except such motor vehicles, owned by non-residents, as are provided for by section twenty-one (21) of this act.

Sec. 3. Every owner of motor vehicle which shall be operated or driven upon the public highways shall, except as herein otherwise expressly provided, have filed in the office of the county treasurer of the county in which he resides, an application for registration or re-registration on a blank to be furnished by the department for that purpose, containing:

- (a) The name, post-office address, with street and number, if any, of the owner.
- (b) The last previous registration number.
- (c) The manufacturer's retail price as fixed by the executive council.
- (d) If a motor truck, the manufacturer's rated load-carrying capacity, weight of truck and tire equipment, whether solid, pneumatic, or both.
- (e) A brief description of the vehicle to be registered, including the name of the manufacturer, type of vehicle, model, engine number and factory number.
- (f) Such other information as the department may require for the efficient administration of this act.

Providing that nothing herein shall require owners of threshing machines, engines or tractors to pay a license thereon.

Sec. 4. Upon receipt of the application and fee for registration or re-registration of a motor vehicle, as provided in this act, the county treasurer shall file such applications in his office and register such motor vehicle with the name, post-office address and business address of the owner, together with the facts stated in such application, in a book or index to be kept for the purpose, under the distinctive number assigned to such motor vehicle by the county treasurer, which book or index shall be open to public inspection during reasonable business hours, and shall give to the owner a receipt for the fee paid, and shall forthwith assign to such motor vehicle a distinctive number, and, without expense to the applicant, shall issue and deliver, or forward by mail or express to the owner, a certificate of registration in such form as the department may prescribe, and duplicate number plates bearing a number corresponding to the number assigned to such motor vehicle. Upon receipt of the application and fee for the registration or re-registration of a trailer, as provided in this act, the county treasurer shall issue a receipt for the fee paid and shall at once forward the application to the department. The department shall register and assign to the trailer a distinctive number and shall forward to the owner a certificate of registration and a single number plate bearing the number corresponding to the number assigned to the trailer. In the event of the loss, mutilation or destruction of any number plate, the owner of the registered motor vehicle, or manufacturer, or dealer, as the case may be, may obtain from the department a duplicate thereof upon filing in the office of the department an affidavit showing such facts and the payment of a fee of fifty cents (\$.50) for each plate. Duplicate certificates of registration may be issued by the county treasurer in like cases, without the payment of any fee therefor.

Sec. 5. The executive council shall purchase all number plates, containers and other supplies required by this act after receiving competitive bids under open specifications. The bidders shall be required to furnish samples of such supplies and in awarding the contract the council may consider the quality and suitability of the samples submitted as well as the prices quoted. A record of all bids submitted shall be kept and the samples submitted shall be preserved until the next subsequent letting. The successful bidder shall be required to execute to the state a good and sufficient bond in such amount as the executive council shall require, conditioned upon the plates furnished being in accordance with the samples and specifications, and providing for liquidated damages for failure to deliver plates at the time specified in the contract. In lieu of purchasing under competitive bids the council shall have authority to arrange with the board of control to furnish such supplies as may be made at the state institutions, and should an arrangement be made between the executive council and board of control whereby the number plates shall be made at the state institutions \$75,000.00 or as much thereof as may be necessary shall be set aside from the 2½ per cent fund provided for in section 35 hereof to the board of control for the purchase of the materials and supplies necessary to furnish such number plates.

Sec. 6. On or before the first day of December of each year, the department shall deliver, or cause to be delivered to the county treasurer

of each county, approximately as many duplicate number plates as there are motor vehicles registered in such county during the preceding year. The plates so delivered to each county treasurer to be in numerical sequence. Thereafter, during the year, the department, upon requisition of the county treasurer, shall deliver additional number plates. The department shall keep an accurate record of all number plates issued at each county, and shall also keep a record showing the assignment thereof by the county treasurer to motor vehicles. Such number plates shall be of metal, at least six (6) inches wide and not less than fifteen (15) inches in length, on which there shall be the initials "Ia" and numerals indicating the year for which it is issued; and of a distinctively different color each year, and there shall be at all times a marked contrast between the colors of the number plates and that of the numerals or letters thereon, said colors to be designated by the department. The distinctive number assigned to the vehicle shall be set forth in numerals four (4) inches long, each stroke of which shall be at least five-eighths ( $\frac{5}{8}$ ) of an inch in width. In the case of a motor vehicle registered by a manufacturer or dealer, there shall be on such plate, in addition to the foregoing, the letter "D", each stroke of such letter to be at least four (4) inches long and five-eighths ( $\frac{5}{8}$ ) of an inch in width. The number plates for use on a motor bicycle or a motorcycle shall be one-half ( $\frac{1}{2}$ ) the size above stated. All number plates issued shall be and remain the property of the state of Iowa.

Sec. 7. Registration shall be renewed annually in the same manner as provided in section nine (9) for registration, to take effect on the first day of January of each year; provided, that the county treasurer shall withhold the registration of any motor vehicle the owner of which shall have failed to register the same for any previous period or periods for which it appears that registration should have been made, until the fee for such previous period or periods shall be paid. All certificates of registration issued under provisions of this act shall expire on the last day of the calendar year in which they were issued.

Sec. 8. When a motor vehicle is permanently dismantled or no longer used on the public highway, the owner thereof shall detach the license plates and container for certificate of registration and surrender them to the county treasurer, who shall cancel the registration of record and report such cancellation forthwith to the department upon blanks provided for that purpose.

Sec. 9. An annual license fee of fifteen dollars (\$15.00) shall be paid upon the registration or re-registration of all motor vehicles except motor trucks, motorcycles and motor bicycles and in addition thereto a license fee of one and one-half ( $1\frac{1}{2}$ ) per cent shall be paid on value in excess of one thousand dollars (\$1000.00) determined as provided in this act. Provided, that the fee for registering any theretofore unregistered motor vehicle purchased on or after July first and prior to December first of any year, shall be one-half ( $\frac{1}{2}$ ) of the annual fee therefor, and, that a motor vehicle purchased in December shall be registered for one-tenth ( $\frac{1}{10}$ ) of the annual fee for the remainder of the calendar year. Provided,

further, that each manufacturer or dealer selling or otherwise disposing of motor vehicles theretofore unregistered in this state, to a resident of this state, shall forthwith report to the county treasurer of the county in which the purchaser resides, each such sale, stating the date of such sale made on or after July 1st of each calendar year; such report shall be made on blanks to be furnished by the department upon request, and shall be made in such manner as he shall direct; and, provided further, that no motor vehicle shall be registered for less than the annual fee because of its having been purchased on or after July 1st until such manufacturers' or dealers' report shall have been filed as herein provided, and provided, that the annual fee for the registration or re-registration of a motor bicycle or motorcycle shall be five dollars (\$5.00).

An annual license fee for the registration or re-registration of all motor trucks and trailers shall be paid on the manufacturers' rating of load capacity, in accordance with the following rates:

Motor trucks equipped with all pneumatic tires:

1	ton or less capacity	\$15.00	per annum
1½	" "	25.00	" "
2	" "	45.00	" "
2½	" "	60.00	" "
3	" "	75.00	" "
3½	" "	95.00	" "
4	" "	115.00	" "
4½	" "	140.00	" "
5	" "	165.00	" "

For each additional ton capacity above five tons add \$150.00 to five-ton rate.

Motor trucks equipped with two or more solid rubber tires:

1	ton or less capacity	\$25.00
1½	" "	35.00
2	" "	65.00
2½	" "	80.00
3	ton capacity	\$95.00
3½	" "	120.00
4	" "	145.00
4½	" "	170.00
5	" "	200.00

For each additional ton capacity above five tons add \$150.00 to five-ton rate.

Motor trucks equipped with iron, steel or hard tires:

1	ton or less capacity	\$40.00
1½	" "	50.00

No license to be issued for heavier load capacities.

## Trailers equipped with all pneumatic tires:

1	ton or less capacity	\$10.00
2	" "	20.00
3	" "	30.00
4	" "	40.00
5	" "	50.00
6	" "	60.00

## Trailers equipped with two or more solid rubber tires:

1	ton or less capacity	\$15.00
2	" "	25.00
3	" "	40.00
4	" "	55.00
5	" "	65.00
6	" "	75.00

## Trailers equipped with iron, steel or hard tires:

Under $\frac{1}{2}$ ton capacity	\$3.00
1 " "	15.00
2 " "	30.00
3 " "	50.00
4 " "	65.00
5 " "	80.00
6 " "	95.00

All motor trucks, trailers, and motor vehicles used for other than the conveyance of passengers shall have attached thereto a conspicuous metal plate giving the actual weight of the vehicle as equipped and weight of loading capacity as specified by the manufacturer or make and no license shall be issued until the vehicle is so equipped. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction, subject to a fine of not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for the first and second offenses. Upon a third conviction, the department shall have authority to cancel the certificate of registration and call in the number plates and a new license shall not be issued for any such motor vehicle for a period of one year.

Sec. 10. It shall be unlawful for any person known as a chauffeur, and employed for hire therefor, to operate or drive a motor vehicle upon the public highways, or streets, of cities or towns of this state, unless licensed by the department as herein provided.

Any person desiring a chauffeur's license shall file with the department an application under oath stating his name, residence, business address, if any, age, color, single or married, whether he has ever been convicted of a violation of the motor vehicle laws of this state or any other state, or has been convicted within one year of intoxication, and such other information as the department may require. Such license shall not be issued until the department is satisfied that the applicant is over eighteen (18) years of age and is a fit and proper person to receive such

license. The fee for chauffeur's license shall be two dollars (\$2.00) payable annually and shall expire on the last day of the year in which it is issued.

To each person shall be assigned a distinguishing number and the department shall issue to the licensee a certificate containing the distinguishing number or mark assigned to the license, his name, age, place of residence, business address, if any, and a brief description of the licensee for purpose of identification, and such other information as the department shall deem necessary. Every person licensed as a chauffeur, shall endorse his usual signature on the license certificate and his license shall not be valid until the certificate is so endorsed.

The department shall also furnish, without extra charge therefor, to each chauffeur licensed, a suitable metal badge with the number assigned to him stamped thereon, such badge to have stamped thereon the words "Registered Chauffeur No. . . . ., Iowa," and year of issue.

This badge shall thereafter be worn by such chauffeur, affixed to his clothing in a conspicuous place, at all times when he is operating a motor vehicle upon the public highway, and the license certificate shall be carried at all times when he is operating a motor vehicle upon the public highway and shall be produced for inspection upon request by any peace officer. In case of the loss of such badge or certificate a duplicate will be issued by the department on the filing of an affidavit showing the fact of loss, and on payment of a fee of one dollar (\$1.00) to the department in the case of a badge, and fifty cents (\$.50) in case of a certificate. Applications for the annual renewal of licenses by chauffeurs shall be accompanied by the fee required by this section. No chauffeur's license or badge shall be issued to any applicant under the age of eighteen (18) years. It shall be unlawful for any person to cause, or knowingly to permit his or her child, ward or employee to operate a motor vehicle upon the public highway, as a chauffeur without first having obtained such license as is hereinbefore specified; and the application to the department of a minor to operate a motor vehicle, as chauffeur, shall not be granted by the department unless the parent or parents having custody of such applicant or the guardian or the employer of such applicant shall have joined in said application by signing the same; provided further, that any negligence of a minor, so licensed, in operating a motor vehicle upon the public highway, as chauffeur, shall be imputed to the person, persons or corporation, who shall employ said chauffeur, which person, persons or corporation shall be jointly and severally liable with such minor for any damage caused by such negligence.

Upon the receipt of an application, the department shall register the applicant in a book, or on index cards which shall be kept in the same manner as the books or index cards for the registration of motor vehicles.



No person shall use a fictitious name in applying for such chauffeur's license, nor shall any chauffeur voluntarily permit any other to possess or use his license certificate or badge; nor shall any person, while operating a motor vehicle, use or possess any license certificate or badge belonging to another person.

No person shall display or cause or permit to be displayed, or have in his possession, any canceled, revoked, altered or fictitious registration number plate, registration certificate, chauffeur's license certificate or chauffeur's badge, as the same are respectively provided for in this act.

The official head of the department may, after due hearing, upon not less than five (5) days' notice to be sent by registered letter to the address given by the person seeking a chauffeur's license, which shall constitute a sufficient service of notice, suspend or revoke the chauffeur's license issued to any person under this act, for any cause which he may deem sufficient, or he may, when a chauffeur has been convicted a third time of a violation of any of the provisions of this act, revoke or suspend the license of the chauffeur so convicted and no new license shall be issued to such person for at least one (1) year after the date of revocation of such license nor thereafter except in the discretion of the said officer. Any certificate of license issued to any chauffeur to operate motor vehicles upon an application or statement which is untrue as to any material fact, shall be void from the date of issue.

Any chauffeur whose license shall be revoked by the department, or shall be found to be void, shall forthwith return his license certificate and badge to the department.

The license fees received from chauffeurs and any other fees which may be received by the department under this act shall be a part of the motor vehicle fund.

Sec. 11. No person under fifteen (15) years of age shall operate or drive a motor vehicle by permission from the owner of the car and unless such person be accompanied by a person of mature years and in all cases where damage is done by any car driven by any person under fifteen (15) years of age and in all cases where damage is done by the car, driven by consent of the owner, by reason of negligence of the driver, the owner of the car shall be liable for such damage.

Sec. 12. Every manufacturer of a motor vehicle sold or offered for sale within this state, either by the manufacturer, distributor, dealer or any other person, shall, on or before the first day of June, 1919, and annually thereafter, file in the office of the department, a sworn statement showing the various models manufactured by him, and the retail list price of each model as of June first of that year. No motor vehicle shall be registered in this state unless the manufacturers thereof have furnished to the department the sworn statement herein provided, giving the list price of the model of the motor vehicle that is offered for registration, except that the county treasurer shall have authority to

fix the value of any rebuilt or foreign car or any cars on which the list price is not available, provided the department shall have authority to review the action of the county treasurer in such cases establish the correct value and revoke the findings of the county treasurer, if found incorrect.

Sec. 13. All motor vehicles owned and used in the transaction of official business, by the representatives of foreign powers or by officers, boards or departments of the government of the United States, and by the state of Iowa, counties, municipalities and other sub-divisions of government, and such self-propelling vehicles as are used neither for the conveyance of persons for hire, pleasure or business, nor for the transportation of freight, and small trailers, under one thousand (1000) pounds capacity, equipped with rubber tires, used and attached to pleasure motor vehicles and used for carrying personal baggage or effects, are hereby exempted from the payment of the fees in this act prescribed, but shall not be exempt from the penalties herein provided. The department shall furnish, on application, free of charge, distinguishing plates for motor vehicles thus exempted and keep a separate record thereof.

Sec. 14. The department shall prepare, prior to the second day of July, 1919, and annually thereafter, a statement showing all the different makes and models of motor vehicles previously registered in his department, and all the different makes and models of motor vehicles, statements of which have been filed in his office as provided in section twelve (12) hereof, together with the retail list price of the same, and the executive council shall, on or before the 15th day of July of each year, and at such other times as they may deem necessary, fix a value of each of the different makes and models of motor vehicles so reported to them by the department, or which are sold or offered for sale within the state. The value thus fixed shall be based on the retail list price of such vehicles as compared with the value of a new motor vehicle of the same make and model, provided, however, that for each year for which such motor vehicle has been registered, a reduction of ten (10) per cent shall be made from the retail list price, new, of such vehicle after the first registration; and, provided further, that no reduction shall be made for a greater period than five (5) years, provided further, that the value thus fixed shall be only for the purpose of determining the license fee to be charged for the registration of such motor vehicle, and provided further, that the license fee in no case shall be less than fifteen dollars (\$15.00).

The statement prepared by the department shall also include the loading capacities of the various makes and models of motor trucks and trailers and the proper license fee to be paid for the registration of each.

Sec. 15. All registration or other fees herein or heretofore provided for in this act shall be and continue a lien against the motor vehicle for which said fees are payable until such time as they are paid as provided by law, with any accrued penalties. The lien of the original registration fee shall attach, at the time the same is first payable, as provided by law, and the

lien of all renewals of registration shall attach on January 1st of each year thereafter. The collection of same may be enforced against any motor vehicle or it may be collected by suit against the owner who shall remain personally liable therefor until such time as the transfer thereof shall be reported to the county treasurer or until such time as said vehicle ceases to be in use and all fees and penalties to such date shall be paid. On April 1st of each year, a penalty of one dollar (\$1.00) shall be added to all fees not paid by that date, and one dollar (\$1.00) shall be added to such fees on May 1st and on the first day of each month thereafter that the same remains unpaid, until paid.

On June first of the year 1921, and annually thereafter, the department shall forward to the county treasurer of each county, a list of all motor vehicles in said county on which the registration fee has not been paid, showing the amount of the delinquent fee and penalties, registration number, make and factory number, together with the name and address of the owner of each car as described by the records. In the first week of July of each year the county treasurer shall cause to be published in each of the official newspapers in his county, a list of all motor vehicles owned within his county upon which the license fee has not been paid for that year. Such list shall show the factory number, make and model of the vehicle together with the name and post-office address of the owner thereof as shown by the records of his office and the amount of the license fee and penalty due upon the vehicle. Immediately after the publication of the list as herein provided, it shall be the duty of the county treasurer to collect the license and penalty as shown by the published list.

The county treasurer shall collect from each delinquent, fifty cents (\$.50) on each vehicle on which the fee is delinquent to cover cost of publication. The cost of publication provided for in this section shall be paid as other bills for the maintenance of this department, but shall first be certified by the county treasurer of the county in which the publication was made, and approved by the department. He shall in all cases collect and remit to the department the correct license fee on each motor vehicle registered by him and shall be responsible on his bond for such amount. All fees and penalties collected by the county treasurer shall be remitted to the department on the fifteenth day of each month following their collections.

It shall be the duty of the county treasurer to deliver to the sheriff of the county, fifteen (15) days from date of publication of the delinquent motor list, a certified list of the motor vehicles on which the fees are delinquent, as shown by the record of his office, which list shall show name and address of owner, make of car, license number, factory and engine number, amount of fees and penalty due, together with a writ of seizure for such motor vehicle upon which the fees and penalties are unpaid.

It shall be the duty of the sheriff of the county to forthwith proceed to the collection of the unpaid fees and penalties as certified to him by county treasurer by taking possession of the motor vehicle described in said list and writ of seizure for said motor vehicle, and proceed to advertise and sell same upon ten (10) days notice for the purpose of collecting fees, penalties and costs, provided, however, that should a motor vehicle

on which the fee is delinquent be removed from the county in which it was originally registered, either by transfer or removal by owner to another county, without having notified the county treasurer or department of such removal and the sheriff knowing to which county same was removed, may forward the warrant to the sheriff of the county where such motor vehicle is at that time, when he shall proceed to collect the same as though the vehicle had been originally registered in his county, and make return to the county treasurer of the county from which he received the writ.

The sheriff shall be entitled to receive as costs, the sum of two dollars (\$2.00) for serving writ of seizure and ten cents (\$.10) for each mile actually traveled by him in collecting the fee and penalties, and one dollar (\$1.00) per day for care of the motor vehicle while in his possession, which shall be collected from the owner of such delinquent motor vehicle, such costs and mileage, and costs of care while in his possession, shall be retained by him in full for his services.

When the fee and penalties have been collected the same shall forthwith be returned to the county treasurer, together with a report showing the name and address of the owner and description of car upon which such fee was collected. Thereupon the county treasurer shall issue to the owner number plates and a receipt showing payment of fees and penalties.

Sec. 16. It is hereby made the duty of the department to prepare and furnish the treasurer of each county all blank books, blank forms and all supplies required for the administration of this act, including applications for registration and transfer of vehicles, triplicate receipts, one of which shall be returned to the department on the day the license was issued, one delivered to the owner of the motor vehicle, and one retained by the treasurer of the county, and including duplicate remittance sheets to be used in remitting fees to the department, which shall contain the license number, name and address of owner, price or load capacity of the vehicle, and the fee collected. All receipts for fees paid, certificates of registration, notices of transfer, and other blanks required for the administration of this act shall contain the license number, and manufacturers' number, factory number, name of owner, and such other matters as the department may deem necessary for the efficient administration of this act.

It shall be the duty of the department to install and maintain a numerical and county card index, both of which shall contain the following information; viz., name and address of owner, license number, make, factory number, model, style, engine number, date of purchase, registration certificate number, number of cylinders, rated load carrying capacity, list price or value of car fixed by the executive council, fees paid and date of payment. The card index to be ruled so as to show the value fixed by the executive council each year, the fees paid and date of payment, for at least ten (10) years.

The certificate of registration provided for herein shall contain on its face the name of the owner of the motor vehicle, his postoffice address, date of issue, fee paid, license number, make of car, year built, style of

car, model, engine number, number of cylinders, factory number, value and signature of owner. The reverse side of the certificate of registration shall contain notice of sale and transfer of the motor vehicle by the owner to the purchaser with a description of the car as set out in the certificate of registration which shall have blank spaces for the signature of both the owner and purchaser.

Sec. 17. The registration fees imposed by this act upon motor vehicles, other than those of manufacturers and dealers, shall be in lieu of all taxes, general or local, to which motor vehicles may be subject.

Sec. 18. Upon the transfer of ownership of any registered motor vehicle, the owner shall immediately give notice to the county treasurer upon the form attached to the certificate of registration, containing the date of such transfer, the name and postoffice address, with street number if in a city, of the person to whom transferred, the license number, and such other information as the department may require. The purchaser of the motor vehicle shall join in the notice of transfer to the county treasurer and shall at the same time make application for the transfer of the motor vehicle and for a new certificate of registration. Upon filing the application for transfer, the applicant shall pay a fee of one dollar (\$1.00) for the transfer, thereupon the county treasurer, if satisfied of the genuineness and regularity of such transfer, shall register said motor vehicle in the name of the transferee and issue a new certificate of registration as provided in this act. Until said transferee has received said certificate of registration and has written his name upon the face thereof, delivery and title to said motor vehicle shall be deemed not to have been made and passed. The county treasurer shall forthwith notify the department of such transfer and upon receipt of such statement and fee, the department shall file such statement in his office and note upon the registration book or index, such change of ownership.

The provisions provided for herein for the transfer of motor vehicles shall apply to the sale and transfer of all motor vehicles to manufacturers or dealers.

Sec. 19. It shall be unlawful for any person, firm, association, or corporation to buy any second hand or used automobile, or motor vehicle without requiring and receiving from the vendor thereof, a certificate of registration and transfer from the officer whose duty it is to register or license motor vehicles in the state in which said motor vehicle is registered or licensed, showing the factory number, license number, description, and ownership of said automobile or motor vehicle or to sell or offer for sale any second hand or used automobile or motor vehicle without furnishing to the vendee of said automobile or motor vehicle, a certificate of registration and transfer from the officer whose duty it is to register or license automobiles and motor vehicles in the state in which said automobile or motor vehicle is registered or licensed, showing the factory number, description, license number and ownership of said automobile or motor vehicle.

It shall also be unlawful for any person, firm, association or corporation to deface, or alter any serial number, engine number, or assembling number of a motor vehicle or registration number or certificate of registration or to have in his or its possession an automobile or motor vehicle, the serial number or engine number of which is defaced, altered or tampered with unless said person, firm, association or corporation has in his or its possession a certificate of registration and transfer from the officer whose duty it is to register or license automobiles and motor vehicles in the state in which said automobile or motor vehicle is registered, showing good and sufficient reason why numbers are defaced, changed or tampered with; and also showing the original serial or engine number, and also showing the ownership of said automobile.

Any person, firm, association or corporation found guilty, personally or by agent, of violating any of the provisions of this section shall be imprisoned in the penitentiary not more than five (5) years or be fined not more than one thousand dollars (\$1,000.00) and be imprisoned in the county jail not more than one (1) year.

Sec. 20. Upon the sale of a motor vehicle by manufacturers or dealers, the vendee shall at once make application by mail or otherwise, for registration thereof, after which he may operate the same upon the public highway without its individual number thereon for a period of not more than fifteen (15) days, provided, that during such period the motor vehicle shall have attached thereto, in accordance with the provision hereof, both on the front and rear of such vehicle, pasteboard cards bearing the words "License Applied For", and the registration number of the dealer from whom the car was purchased together with the date of purchase plainly stamped or stenciled thereon. The letters and figures upon such cards shall not be less than one (1) inch in height except that the letters in the words "License Applied For", shall not be less than two (2) inches in height, provided, that no manufacturer or dealer shall issue or permit the use of such card until application for a license has been made, as herein provided, by the person to whom it is issued. The department shall, upon the application of any manufacturer or dealer, furnish such cards free of charge with the words "License Applied For" printed thereon and sufficient blank space to permit the printing, stamping or stenciling thereon of the dealers' number and the date. Provided, further, that a motor vehicle that is being brought into this state from another state either for use or for sale herein, may be driven upon the public highway for a period of not to exceed ten (10) days provided it shall carry, both on the front and rear a pasteboard card bearing the words, "Car in Transit", and the date of purchase. The words, letters and figures upon said car shall be of the same size and general character as those required in this section for the cards showing that application has been made for a license. Nothing in this section, however, shall be construed so as to interfere with the use of motor vehicles upon the public highways of this state that are owned by persons living in another state, regulation of which is provided for elsewhere in this act.

Sec. 21. Except as otherwise provided in this act, no person shall operate or drive a motor vehicle on the public highways of this state unless such motor vehicle shall have a distinctive number assigned to it and two number plates with numbers corresponding to that of the certificate of registration, conspicuously displayed—one on the front and one on the rear of such vehicle, each securely fastened so as to prevent the same from swinging.

The certificate of registration issued by the county treasurer, shall be displayed in a proper holder that will protect the same, of a kind approved by the executive council, which holder shall be placed in plain view in the driver's compartment of the motor vehicle. The executive council may, at its discretion, approve devices for holding and displaying certificates of registration. It shall be unlawful to change the license numbers assigned by the county treasurer to any motor vehicle, unless for some cause a new number may be assigned according to law, or to use or display on any motor vehicle any number plates or certificate of registration, other than those issued licensing such vehicle, or to intentionally use or display such certificate of registration on which the names, numbers, or date stated, are not true or do not correspond to the vehicle licensed.

Sec. 22. Every person, firm, association or corporation manufacturing or dealing in motor vehicles, may instead of registering each motor vehicle, make an application for a general distinctive number for all the motor vehicles owned or controlled by such manufacturer or dealer. On the payment of a registration fee of twenty-five dollars (\$25.00), such application shall be registered in the office of the department. The department shall thereupon assign and issue to such manufacturer or dealer a general distinctive number, and without expense to the applicant, issue and promptly deliver to such manufacturer or dealer, a certificate of registration and two number plates with a number corresponding to the number of such certificate.

Such number plates shall be displayed by each motor vehicle of such manufacturer or dealer when the same is operated or driven on the public highways. Such manufacturer or dealer may obtain as many duplicates of such number plates as may be desired upon the payment to the department of fifteen dollars (\$15.00) for each duplicate set, provided that if a manufacturer or dealer has an established place of business in more than one city or town, such manufacturer or dealer shall secure a separate and distinct certificate of registration and number plates for each such place of business. Nothing in this section shall be construed to apply to a motor vehicle operated by a manufacturer or dealer for private use or for hire, which said motor vehicle shall be individually registered as provided in this act.

Sec. 23. The provisions of the foregoing sections relative to registration and display of registration numbers shall not apply to a motor vehicle owned by a nonresident of this state, other than a foreign corporation, manufacturer or dealer doing business in this state, provided that the owner shall have complied with the provisions of the law of the foreign country, state, territory or federal district of his residence relative to reg-

istration of motor vehicles and the display of registration numbers thereon and shall conspicuously display his registration numbers as required thereby. The provisions of this section shall be operative as to a motor vehicle owned by a nonresident of this state to the extent that under the laws of the foreign country, state, territory or federal district of his residence like exemptions and privileges are granted to motor vehicles duly registered under the laws, and owned by the residents of this state.

Sec. 24. (a) Every motor vehicle, while in use on the public highways of this state, shall be provided with adequate brakes. (b) Every motor vehicle shall be equipped with a suitable bell, horn, or other signalling device producing an abrupt sound sufficiently loud to serve as an adequate warning of danger, but no persons operating any motor vehicle shall make or cause to be made any unnecessary noise with such bell, horn, or signalling device, or use the same except as a warning of danger. Loud signalling devices shall not be used during the period of from one hour after sunset to one hour before sunrise, unless absolutely necessary to avoid accidents. An adequate signalling device shall in all cases be sounded on approaching curves, tops of hills, and intersecting highways in the country where the operator's view is obscured. (c) All motor vehicles in use on the public highways excepting motorcycles, motor bicycles, and such motor vehicles as are properly equipped with one light in the forward center of such motor vehicle, shall, during the period of from one-half hour after sunset to one-half hour before sunrise, display two or more white or tinted lights, other than red, on the forward part of said vehicle, so placed as to be seen from the front, and of sufficient illuminating power to be visible at a distance of five hundred (500) feet in the direction in which displayed, and to reveal any persons, vehicle, or substantial object seventy-five (75) feet ahead of the lamps. Such motor vehicle when in use shall also display on the rear a lamp so constructed and placed as to show a red light from the rear and throw a white light directed upon the rear registration marker and render the numerals thereon visible for at least fifty (50) feet in the direction from which the vehicle is proceeding. Motorcycles, motor bicycles and motor vehicles equipped with one light as herein provided, shall display on the forward part one white or tinted light, as aforesaid, and a red light to the rear, so constructed and placed as to throw a white light directly upon the registration marker as prescribed in the case of any other motor vehicles, provided that the operator of any motor vehicle may proceed in a cautious and careful manner, in the event of a failure of one or more of his lights to operate, toward his destination, but he shall take the first reasonable opportunity to put his lights in order, otherwise to be deemed guilty of violation of this provision. The provision as to the rear light shall also apply to vehicles which are trailed or towed by motor vehicles. It shall be unlawful to use on a vehicle of any kind operated on the public highways of this state, including motorcycles, any lighting device of over four (4) candle power, equipped with a reflector, unless the same shall be so designed, or arranged that the directly reflected and undiffused beam of such light when measured seventy-five (75) feet or more ahead of the light shall not rise above forty-two (42) inches from the level surface on



which the vehicle stands under all conditions of load. If, in addition to headlights, any such vehicle is equipped with any auxiliary light, projecting lights, or devices other than the rear lamp, such auxiliary light or lights shall be subject to all the restrictions of this section, regarding direction of the beam. If a spotlight is used on a motor vehicle it shall be unlawful for any person to direct its rays toward the eyes of the driver or occupants of an approaching vehicle, or to the left of the center of the traveled way when meeting another vehicle. No person shall operate a motor vehicle on any highway of this state equipped with an electric bulb or other lighting device of a greater capacity than thirty-two (32) candle power, no matter how the same may be shaded, covered or obscured. Any person who shall turn all or any of his motor vehicle's lights off for the purpose of avoiding arrest or identification, shall be deemed guilty of a misdemeanor and, upon conviction, subject to a fine of one hundred dollars (\$100.00) or imprisonment for a period of not to exceed thirty (30) days, or both fine and imprisonment. (d) It shall be unlawful for any operator of any motor car, taxicab, automobile, motor truck or motorcycle, while on the public highway, to use any cutout fitting or other apparatus or device which will allow the exhaust gases from the engine of the motor vehicle to escape into the atmosphere without first passing through a silencer, expansion chamber, or other contrivance suitable and sufficient for reducing as far as may be reasonably practicable, the noise which would otherwise be caused by the escape of the said gases, provided further, that it shall be unlawful for any person to drive or to permit to be driven on the streets of any city or town, any motor vehicle at any time with the muffler cut out or not in operation. Any violation of this section shall constitute a misdemeanor, and upon conviction, shall be punishable by a fine of not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00) for the first and second offense, provided further that for the third conviction the department shall revoke the license and certificate of registration of the person so convicted and no new license or certificate shall be granted to the person for a period of one (1) year.

It shall be the duty of the mayor of cities and towns, the police, sheriff, and all peace officers to enforce provisions of this act.

Sec. 25. Upon approaching any person walking in the traveled portion of any public highway or a horse or any animal being led, ridden or driven thereon, or a crossing or intersection of public highways, or a bridge, or a sharp turn, or a curve, or a steep descent, and also in passing such person or such horse or other animal, and in traversing such crossing, bridge, turn, curve or descent, the person operating a motor vehicle or motorcycle shall have the same under control and shall reduce the speed to a reasonable and proper rate.

Except where safety zones are provided, and the highway is of sufficient width to admit of safe passage, the driver or operator or every vehicle shall bring the same to a full stop not less than five (5) feet from the rear of any street car headed in the same direction which has stopped for the purpose of taking on and discharging passengers, and remain standing

until such car has taken on or discharged its passengers. Any person violating any requirement of this section shall be deemed guilty of a misdemeanor and subject upon conviction to a fine of not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) for the first offense. The provisions of this section shall apply to the operator who causes his motor vehicle to be operated in violation of this section.

(a) The operator of a motor vehicle 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 center of the street.

(b) The operator of a motor vehicle, when overtaking and passing another vehicle, shall pass to the left and shall not drive to the right until clear of such vehicle.

(c) 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 and extending the hand and indicating with it the direction in which he wishes to turn.

(d) The operator of a motor vehicle, in turning to the right from one street or highway into another, shall turn the corner as near the right hand as practicable, 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.

(e) The operator of a motor vehicle, in crossing from one side of the 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.

(f) In cities and towns it shall be unlawful to stop a motor vehicle on the street unless the right side thereof is next to and parallel with the curb and as near thereto as the condition of the street will permit; provided, however, that cities and towns shall have the power to designate by ordinance suitable areas within which automobiles may be parked or left standing (without being parallel to the curb), and to prescribe rules governing the use of such areas for such purpose; 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.

(g) 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 districts.

(h) 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.

(i) Where two vehicles are approaching on any public street or highway so that their paths will intersect and there is danger of collision, the vehicle approaching the other from the right shall have the right of way.

(j) 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 fifteen (15) feet of the corner or within fifteen (15) feet of any hydrant.

(k) In cities and towns no motor vehicle shall be left standing in front of or within fifteen (15) feet of either side of the entrance of any theatre, auditorium or 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 is necessary for such purpose.

At theatres and public gatherings in cities or towns, or under unusual circumstances, motor vehicles shall stand or move as directed by the police.

(m) 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 with the engine running.

(n) The driver of any vehicle driven or propelled upon the public highways shall, when overtaken by a faster moving vehicle proceeding in the same direction, upon a signal, either by the sounding of a bell, horn or other signalling device, given by the driver of the overtaking vehicle, cause his vehicle to be driven to the right of the center of the traveled way if he can do so with safety and remain to the right of the center of such traveled way until the overtaking vehicle shall have safely passed. Any driver of a vehicle that is overtaken by a faster moving vehicle who fails to heed the signal of the overtaking vehicle when it is given under such circumstances that he could, by the exercise of ordinary care and observation and precaution, hear such signal and who fails to yield that part of the traveled way as herein provided, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not to exceed one hundred dollars (\$100.00) or by imprisonment not exceeding thirty (30) days and if upon the trial of the case the person charged with the violation of this provision shall claim that he did not hear the signal of the overtaking vehicle, the burden of proof shall rest upon him to show that he did not hear such signal provided that it shall first be proven that the overtaking vehicle gave a signal by the use of a bell, horn or other signalling device.

(o) It shall be unlawful for the operator of any motor vehicle to leave it standing, while showing a red light, parallel to, and within twenty-five (25) feet of the tracks of any railroad in cities and towns.

Sec. 26. Every person operating a motor vehicle on the public highway of this state shall drive the same in a careful and prudent manner, and at a rate of speed that will not endanger the property of another, or the life

or limb of any person, and shall in no event drive the same at a greater rate of speed than as follows:

(a) Thirty (30) miles per hour if the weight of vehicle and load is less than three (3) tons and the vehicle is equipped with pneumatic tires, and twenty-five (25) miles per hour if such vehicle is equipped with solid rubber tires.

(b) Twenty-five (25) miles per hour if the weight of the vehicle and load is more than three (3) tons and less than six (6) tons and the vehicle is equipped with pneumatic tires, and twenty (20) miles per hour if such vehicle is equipped with solid rubber tires.

(c) Sixteen (16) miles per hour if the weight of the vehicle and load is more than six (6) tons and the vehicle is equipped with pneumatic tires, and twelve (12) miles per hour if such vehicle is equipped with solid tires.

(d) Ten (10) miles per hour if the vehicle or any trailer is equipped with two (2) or more metal tires.

Provided, that the local authorities of any city or town may establish a suburban district in which the maximum speed of any vehicle shall not exceed twenty (20) miles per hour, and a business district in which the maximum speed of any vehicle shall not exceed fifteen (15) miles per hour, provided that such city or town shall have placed conspicuously on each main public highway where the city or town line crosses the same, and on every main highway where the rate of speed changes, signs of sufficient size to be easily readable by a person using the highway, bearing the words: "City of.....," "Town of....." "Slow down to.....miles" (the rate being inserted), and also an arrow pointing in the direction where the speed is to be reduced or changed, and also on further condition that such ordinance, rule or regulation shall fix the punishment for violation thereof, which punishment shall, during the existence of such ordinance, rule or regulation, supersede those specified in this act.

The total maximum load on any one wheel of any motor vehicle including the weight of the vehicle and the load it carries, shall be four tons, provided the total maximum weight of the vehicle and load shall not in any event exceed fourteen tons. The total load on any wheel of any vehicle shall be limited to eight hundred pounds per inch width of tire in actual contact with the road surface, measured at the narrowest point of the tire, on all highways improved with a rigid surface such as concrete, brick or bituminous pavements on a concrete base; and, four hundred pounds per inch width of tire in actual contact with the surface, measured at the narrowest point of the tire, on all highways having earth, gravel or similar surfaces.

The maximum width of any motor vehicle in its load shall be limited to eight feet, excepting loads of loose hay, straw and similar farm products.

No motor vehicle shall operate over any highway, improved with a gravel or paved surface, which has projections of metal or wood beyond

the tread or traffic surface of the tire excepting vehicles equipped with caterpillar tread; provided that tractors, traction engines or similar motor vehicles may be operated which have "V" shaped or diagonal cleats arranged in such a manner that two or more cleats are continuously in contact with the road surface and that the weight per inch width of such cleats in continuous contact with the road surface measured in the direction of the movement of the vehicle does not exceed eight hundred pounds per inch width of tire.

Sec. 27. Limitations as to the rate of speed herein fixed shall be exclusive of all other limitations fixed by law of this state or any political subdivision thereof. Local authorities shall have no power to enact, enforce or maintain any ordinance, rule or regulation in any way in conflict with, contrary to or inconsistent with the provisions of this act, or of any section or other subdivision thereof, and no such ordinance, rule or regulation of said local authorities heretofore or hereafter enacted shall have any force or effect, excepting, however, that (1) such powers as are now or may hereafter be vested in local authorities to enact ordinances and regulations, applicable equally and generally to all vehicles and other users of the highways, and providing for traffic or crossing officers or semaphores, to bring about the orderly passage of vehicles and other users of the public highways on certain portions thereof, where the traffic is heavy and continuous, as well as (2) the powers now or hereafter vested in local authorities to license and to regulate the operation of vehicles offered to the public for hire, and to regulate the use of the highways for processions or assemblages, shall remain in full force and effect, and all ordinances, rules and regulations which may have been or which may be hereafter enacted in pursuance of such powers, shall remain in full force and effect; and provided, further, that local authorities may by general rule, ordinance or regulation, exclude vehicles from any cemetery or ground used for the burial of the dead, or exclude vehicles used solely or principally for commercial purposes, from any park or part of a park system where such general rule, ordinance, or regulation is applicable equally and generally to all other vehicles used for the same purpose; provided, that at the entrance, or at each entrance if there be more than one, to such cemetery or park from which vehicles are so excluded, there shall have been posted a sign plainly legible from the middle of the public highway on which such cemetery or park opens, plainly indicating such exclusion and prohibition; and provided, further, that the local authorities of any city, town, or city and county may impose additional restrictions to those herein contained applicable to vehicles exclusively used in the carrying of merchandise or articles of freight and of a capacity in excess of one ton in weight and may designate certain streets whereon heavy laden vehicles may be excluded or declared to be "one way" streets, may further, restrict, or prohibit, the use of trailers. Provided, further, that where local authorities of other state shall, by adoption of rules and regulations or otherwise, prohibit motor vehicles from operating upon highways in any subdivision of such other state which motor vehicles are duly licensed under the laws of this state, then in such cases the local authorities of this state may, by ordinance or otherwise, require the motor vehicles of the subdivisions of such other state while operating by their

own power in this state to be licensed under the laws of this state.

Sec. 28. The violation of any of the provisions herein shall constitute a misdemeanor punishable by a fine of not to exceed one hundred dollars, except as otherwise provided in this act.

Sec. 29. Whoever operates a motor vehicle while in an intoxicated condition shall be guilty of a misdemeanor, and shall be punished as provided by section 4906 of the Code. Any person operating a motor vehicle, who, knowing that injury has been caused to a person, due to the culpability of said operator, or to accident, leaves the place of said injury or accident without stopping and giving his name, postoffice address, including street number, and registration number of said motor vehicle, to the injured party, and give such aid to the injured person as the circumstances may require, shall be guilty of a felony punishable by fine of not more than five hundred dollars (\$500.00) or by imprisonment for a term not exceeding two (2) years, or by both such fine and imprisonment; and if any person be convicted the second time of either of the foregoing offenses, he shall be guilty of a felony punishable by imprisonment for a term of not less than one (1) year and not more than five (5) years. A conviction of a violation of this section shall be reported forthwith by the trial court or the clerk thereof, to the department, who shall, upon recommendation of the trial court, suspend the certificate of registration of the motor vehicle operated by the person violating this section, or if he be an owner, the certificate of registration of his motor vehicle; and if no appeal therefrom is taken, or if an appeal duly taken be dismissed or the judgment affirmed, and upon notice thereof by said clerk, the department shall revoke the certificate of registration of said motor vehicle, and shall order the certificate of registration delivered to the department, and shall not re-issue said certificate of registration or any other certificate of registration to such person unless the department, in its discretion, after an investigation, or upon rehearing, decided to re-issue or issue a certificate.

Sec. 30. Any person who operates any motor vehicle while a certificate of registration of a motor vehicle issued to him is suspended or revoked, shall be guilty of a misdemeanor.

Sec. 31. Any person making a false statement in the verified application for registration shall be guilty of a misdemeanor punishable by a fine not exceeding fifty dollars.

Sec. 32. Upon conviction of any person for the violation of any of the provisions of this act, the trial court or clerk thereof shall immediately certify the facts of the case, including the name and address of the offender, the judgment of the court and the sentence imposed, to the department, who shall enter the same in the book or index of registration of owners of motor vehicles, opposite the name of the person so convicted, and in case of any other person in a book or index of offenders, to be kept for such purpose. If any conviction shall be reversed upon appeal therefrom, the person whose conviction has been reversed may serve on the department, a certified copy of the order of reversal, whereupon, the department shall enter the same in the proper

book or index in connection with the record of such conviction.

Sec. 33. In case any person shall be taken into custody charged with a violation of any of the provisions of this act, he shall forthwith be taken before the nearest available magistrate or police judge and be entitled to an immediate hearing or admission to bail, and if such hearing cannot then be had, be released from custody on giving bond executed by a fidelity or surety company authorized to do business in this state, or other bail in the form provided by law, such bond to be in amount not exceeding One Hundred Dollars (\$100.00), if the charge be for misdemeanor, for his appearance to answer for such violation at such time and place as shall then be indicated. In case a person is taken into custody charged with a felony, in violation of any of the provisions of this act, such bond shall be in amount not less than One Thousand Dollars (\$1000.00).

Sec. 34. A conviction of the violation of any of the provisions of this act shall not be a bar to a prosecution for an assault or for a homicide committed by any person in operating motor vehicles.

Sec. 35. Ninety-five (95) per cent of all moneys paid into the state treasury pursuant to the provisions of this act, shall be apportioned among the several counties in the same ratio that the area of each county bears to the total area of the state, said apportionment to be made by the treasurer of state. Two and one-half ( $2\frac{1}{2}$ ) per cent of all moneys paid into the state treasury on and after the taking effect of this act pursuant to its provisions, shall be set aside and shall constitute a maintenance fund for the state highway commission, and two and one-half ( $2\frac{1}{2}$ ) per cent of all of said money paid to the treasurer of state shall constitute a fund for the payment of salaries as provided by law for the motor vehicle department, the expenses for plates, blanks, etc., and maintenance of the automobile department. The maintenance fund for said state highway commission, shall be drawn out only on warrants drawn by the auditor of state on itemized vouchers approved by the state highway commission, the expenditures of which commission shall be audited by the state board of audit, and a full and complete report of all said expenditures shall be published in the annual report under the act creating the state highway commission.

Any money remaining in the state highway commission maintenance fund at the end of a calendar year, as well as any portion of the remaining two and one-half ( $2\frac{1}{2}$ ) per centum of the moneys paid into the state treasury not required for payment of salaries, expenses and maintenance of the automobile department, shall be apportioned among the several counties in the same manner as the ninety-five (95) per cent of said funds is apportioned.

Sec. 36. It is hereby made the duty of each and every person, firm, association, corporation, co-partnership operating a public garage in this state to keep for public inspection a record of the license number and engine or factory serial number of all motor vehicles taken in

or held in charge by said garage for the purpose of selling, rental, livery, storage or repair. Said record shall contain the name and address of the owner of the motor vehicle, the name and address of the person delivering or taking the motor vehicle to the garage, and the license number and the number of the engine thereof. The alteration or obliteration of said engine number shall be prima facie evidence of larceny of said motor vehicle, and the proprietor, agents, servants or employes, immediately upon the discovery of such obliteration or alteration, shall notify the sheriff and police officers of the proper county, and shall hold the said motor vehicle for a period of twenty-four (24) hours, or until investigation shall have been made by the sheriff or police officers. Provided, however, such record need not be made when a motor vehicle is taken in or held in charge a second time, when the owner or driver is personally known to the proprietor of such garage, his agent or employe.

Any person, firm, association, corporation or co-partnership found guilty, personally or by agent, of violating any of the provisions of this section shall be fined in a sum not to exceed one hundred dollars (\$100.00).

Sec. 37. The department shall issue this act in pamphlet form, together with such rules, instruction and explanatory matter as may seem advisable, copies of such pamphlet shall be given as wide distribution as the department shall determine and a supply shall be furnished each county treasurer.

The department shall have full authority to make such rules and issue such instructions as may be necessary to insure and obtain uniformity in the administration and full enforcement of the provisions of this act. All local officials charged with the administration and enforcement of this act shall act and be governed in their official acts herein required by the rules promulgated by the department.

The department is authorized and directed to employ such assistants and clerks that may be required by the department in the administration of this act, provided, the salaries and number of any such assistants and clerks shall be authorized by the executive council.

Sec. 38. All acts or parts of acts inconsistent with this act or contrary thereto are hereby repealed.

Sec. 39. This act shall take effect January first, nineteen hundred twenty, except that application for registration may be had and number plates and licenses issued at any time within sixty (60) days prior to said date, to be effective thereafter. Provided further, that those parts of this act relating to the filing of price lists by the manufacturers of motor vehicles, fixing a valuation upon the different kinds, makes and models of motor vehicles by the executive council as a basis for fixing a license fee, the preparation of blanks, books, indexes, the letting of contracts for number plates, chauffeurs' badges, and all preparations for putting into effect



of this act not inconsistent with the existing law shall become effective July 1, 1919.

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- Section 32. Convictions—Duty of court or clerk—Reversal.
- Section 33. Bond for person arrested.
- Section 34. Conviction of provisions of this act, not a bar to prosecution or assault or homicide.
- Section 35. Distribution of license fee.
- Section 36. Garage rules.
- Section 37. Publish laws.
- Section 38. Repealing clause.
- Section 39. Fixing date or time of law to take effect.

Senator Schaffter was called to the chair at 4 p. m.

Senator Scott moved that the report submitted be printed in the journal and be made a special order at 9:30 a. m. Friday.

Senator Evans moved to amend the pending motion to make the time 2:30 p. m. instead of 9:30.

The amendment was adopted.

The motion of Senator Scott as amended prevailed.

President Moore resumed the chair at 4:25.

#### SUB-COMMITTEE REPORT.

MR. PRESIDENT—We, the undersigned members of the joint sub-committee of the Joint Judiciary Committees, beg leave to submit the following report:

The sub-committee was equally divided on the vital points of the Senate File 508, House File No. 550 and Senate File No. 476, that in pursuance to the directions given by the Joint Committee on Judiciary and the Senate, the undersigned members of said sub-committee have

correlated the best features of all of said bills submitted to them including the other bills and the subject of motor vehicles, known as Senate File No. 39 and Senate File No. 27 and have prepared and now offer the following amendment to House File No. 550 as follows:

That all after the enacting clause of House File No. 550 be stricken out and that the following, which is attached hereto be substituted in lieu thereof and said Senators further ask and move that the report including the amendment be printed in today's journal.

W. T. EVANS,  
J. L. BROOKHART.

Section 1. In all laws of this state regulating motor vehicles, the term "motor vehicle," except where otherwise expressly provided, shall include all vehicles propelled by any power other than muscular power, except traction engines, road rollers, fire wagons and engines, police patrols, city or town ambulances, city and government vehicles clearly marked as such, and such vehicles as are run only upon tracks or rails. The term "local authorities" shall include all officers of counties, cities or towns, as well as all boards, committees, or other public officials of such counties, cities or towns. "Motorcycle" shall include all motor vehicles designed to travel on not more than three wheels in contact with the ground, and of not exceeding ten horsepower, and of not exceeding the weight of five hundred pounds unladen. A trailer shall be deemed to be any vehicle, which is at any time drawn upon the public highway by a motor vehicle excepting any implements of husbandry temporarily drawn, propelled or moved upon such highway, "Highway" shall include any public highway, county road, state highway or state road, public street, avenue, alley, park, parkway, driveway, square or place, bridge, viaduct, trestle, or any other territory or structure, whether public or private designed, intended or used by or for the general public for the passage of vehicles, in any county, or incorporate city or town within the state of Iowa; "local authorities" shall include all boards of supervisors, trustees or councils, commissions, committees, and other public officials of counties, incorporated cities or towns; "chauffeur" shall mean any person who operates an automobile in the transportation of persons or freight and who receives any compensation for such service in wages, commission or otherwise, paid directly or indirectly, or who as owner or employee operates an automobile carrying passengers or freight for hire; provided, however, that this definition shall not include manufacturers' agents, proprietors of garages and dealers, salesmen, mechanics, or demonstrators of automobiles in the ordinary course of their business; "nonresidents" shall mean residents of states or countries other than the state of Iowa and of countries other than the United States whose sojourn in this state, or whose occupation or their regular place of abode or business in this state, if any, covers a total period of less than three months in the calendar year; "owner" shall include any person, firm, association, or corporation, having the lawful ownership, use or control, or the right to the use

or control, of a motor vehicle, under a lease or otherwise, for a period of ten or more successive days. The term "where a vehicle is kept" shall refer to the county of residence of the owner or to the county where the vehicle is mainly kept if it be different from that of the residence of the owner. The words "license tax" shall have the same meaning as "registration fee" and when a motor vehicle is "licensed" it is also "registered" and vice versa. A dealer shall include "dealers and manufacturers"; "manufacturer" or "dealer" shall signify a person, firm, association, or corporation regularly in the business of having in his, its or their possession motor vehicles for sale or trade and for use and operation pursuant thereto, and shall be considered owners of motor vehicles manufactured or dealt in by them for the purposes of this act, prior to sale and delivery thereof, and of all motor vehicles in their possession and operated or driven by them or by their agents or employees; provided, however, that anything to the contrary herein notwithstanding, the determination of the department shall be final and conclusive upon the question whether or not an applicant for registration shall be a manufacturer or dealer within the meaning and intent of this act; "garage" shall mean every place of business where motor vehicles are received for housing, storage or repair, for compensation; "intersection highway" shall mean any highway which joins another at any angle, whether or not it crosses the other; "person" shall include any corporation, association, copartnership, company, firm, or other aggregation of individuals and where the term "person" is used in connection with the registration of a motor vehicle, it shall include any corporation, association, copartnership, company, firm, or other aggregation of individuals which owns or controls such motor vehicle as actual owner, or for the purpose of sale or for renting, whether as agent, salesman, or otherwise; "department" as used in this act shall mean the secretary of state; "specially constructed" motor vehicle shall mean a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type of a generally recognized manufacturer of motor vehicles; provided, that in case of dispute the determination of the department as to the character of construction of any such motor vehicle shall be conclusive; "reconstructed motor vehicle" shall mean a motor vehicle which shall have been assembled or constructed largely by means of essential parts, new or used, derived from other motor vehicles or makes of motor vehicles of various names, models or types, or which, if originally otherwise constructed, shall have been materially altered by the removal of essential parts, or by addition or substitution of essential parts, new or used, derived from motor vehicles or makes of motor vehicles, provided, that for the purpose of this act the term "essential parts" shall include, not only integral parts but also body parts such as fenders, hood, cowl, and other parts, the removal, alteration or substitution of which will tend to conceal the identity or substantially alter the appearance of the motor vehicle; and provided, further, that in case of dispute the determination of the department as to the character of such assembly, reconstruction or alternation shall be conclusive;

"Imported motor vehicle" shall mean any motor vehicle which shall be brought into this state from another country or state otherwise than in the ordinary course of business by or through a manufacturer or dealer, and which has not been registered in this state.

Sec. 2. Every motor vehicle kept in this state and whose owner is a resident of this state, and every motor vehicle kept in this state, except temporarily by a non-resident owner, and every motor vehicle kept and used in this state a majority of the time, and every motor vehicle used in this state and not properly licensed and taxed under the laws of another state shall not be operated by its own power upon any public highway without being licensed and without carrying license number plates and proper license card and without having had its license tax duly paid, all as required by law. Any such motor vehicle once licensed in the state and by removal not longer subject to license in this state, shall upon being returned to this state and subject to license be again originally licensed. Every motor vehicle originally licensed as provided by law shall, so long as it is subject to license, within the state, pay an annual license tax in advance, commencing with the date of license.

Sec. 3. Every owner of motor vehicle shall, except as herein otherwise expressly provided, have filed in the office of the county treasurer of the county in which the vehicle is kept, an application for registration or on a blank to be furnished by the department for that purpose, containing:

(a) The name, post-office address, with street and number, if any, of the owner.

(b) The last previous registration number.

(c) A brief description of the vehicle to be registered including the name of the make, type of vehicle, model, kind of power, weight of car, date when purchased new, engine number and factory number.

(d) Such other information as the department may require for the efficient administration of this act.

Upon receipt of the application the county treasurer shall file such applications in his office and license such motor vehicle.

To license a motor vehicle the owner shall pay the license tax required by law to the county treasurer of the county where the motor vehicle is kept. The county treasurer shall issue a license card to the owner, dated when the tax is paid. In addition to such other matter, as the department shall prescribe, the license card shall have in suitable color so as not to obscure the other matter the bold faced letter IA and separated by a dash or space shall have in similar size and style the last figure of the current year of issue. License cards shall be colored white when issued during January, February and March; green when issued during April, May and June; red when issued during July, August and September; and blue when issued during October, November and December. License

cards shall bear a fac simile of the seal of the state and be not less than 3 inches by 4 inches in size. License cards shall also contain blanks for date, number of license, number of engine, and other factory number, if there be one, name of make, style of vehicle, kind of power, weight of car, date when car was purchased new, amount of license tax, name of owner, his postoffice address, including street and number, if in city, and places for signature of county treasurer and owner. The license card shall be fully filled out and then be signed by the county treasurer, and impressed with the seal of the treasurer. The license number shall be the number on the plates and the card shall also before using be signed by the owner. Each license card after the first shall be dated on the anniversary of the first payment and when the tax is due. The license card shall be prima facie evidence of the payment of the license tax for one year from its date upon the motor vehicle described therein, and owned by the person named therein, and the county treasurer of any county shall issue a copy of the license card in place of original card whenever the original is lost or destroyed, or where there had been a transfer of title as provided by law and whenever a new license card shall be issued in place of the original it shall be noted on the treasurer's record of the license. When the vehicles has not before been licensed the owner shall receive without additional cost two duplicate permanent license number plates which shall be issued in their numerical progression.

Sec. 4. Every motor vehicle required to be licensed shall have conspicuously displayed the number plates furnished, one on the front end and one on the rear end of such vehicle, each securely fastened, so as to prevent the same from swinging and each so that the same shall not become habitually obscured by dust and mud. No motor vehicle shall display the number plate of more than one state at a time. The number plates assigned to a motor vehicle shall permanently remain with the chassis of the vehicle until the same is no longer used and if any person shall junk or dismember a motor vehicle and its parts or a majority of them shall be separated and make a reconstructed or new vehicle the number plates shall be defaced and the fact be noted on the certificate of registration issued by the secretary of state, and such certificate of registration shall be returned to the department who shall place the same with the duplicate record of the vehicle. The number plates of a junked or dismembered vehicle shall not thereafter be used, and no number plate shall be detached from the vehicle for which it is issued and to which it belongs for the purpose of using the same upon any other vehicle, and any such plate shall not be used upon any vehicle other than that for which it was issued. The license card issued by the county treasurer shall also be displayed in a proper holder that will protect the same of a kind approved by the executive council and placed in plain view in such place on the vehicle where the same can be easily seen by any peace officer or other person desiring to ascertain when the license tax was paid, and whether the car bears the proper license card, and the department may prescribe the exact location of such card. The executive council may at its discretion approve devices for holding and displaying license cards, and may require such devices to receive and hold such card, so that when

this card is removed from the holder the card will be destroyed or mutilated so it cannot be used on other vehicles. It shall be unlawful to change the license numbers assigned by the county treasurer to any motor vehicle, unless for some cause a new number may be assigned according to law or to change the colors or make any counterfeit license card, or to use or display on any motor vehicle any other than the license card licensing such vehicle or to intentionally use or display any such card on which the names, numbers, or date stated are not true, or do not correspond to the vehicle licensed.

Sec. 5. The county treasurer shall upon suitable duplicate forms make two records of the matter contained in the blanks in said license card and shall retain one in his office with the application and on the same day mail the other copy to the department. The record blanks of the license cards may be arranged by the department so that the duplicate records shall be carbon copies of the license card as to all matters written into the license card.

Upon receipt of the duplicate of record from the county treasurer for each licensed motor vehicle the department shall file the same and provide a plate for a suitable addressograph or similar machine containing the date of payment of first license, license number, engine number or factory number, as the case may be, make of vehicle, and address of owner. These plates shall be placed in the order of the respective license numbered series for each county, and in their numerical order in each series in such machine. Similar series shall be provided for dealers, and for motor cycles and vehicles of less than four wheels, which shall be placed in convenient order. As soon as possible after receiving the duplicate record from the treasurer of any county a certificate of registration shall be struck with the addressograph plate and shall be mailed to the owner at his address. It shall also have upon it blank assignment of title to the motor vehicle licensed, adapted to be filled in with the date and name of purchaser, undersigned by the owner, and may have on it other suitable printed matter.

Sec. 6. No sale of any motor vehicle which has been licensed except under a dealer's license as provided by law shall be valid unless such sale is evidenced by assignment of title on the certificate of registration, duly executed by the owner, and unless it bears the name of the purchaser and date of purchase and unless such certificate of registration with assignment duly executed is filed in the department. Any owner selling a motor vehicle license, except under a dealer's license, shall immediately return the assigned certificate of registration with a fee of one dollar to the department. Whenever any motor vehicle is sold or transferred by operation of law and the certificate of registration is not in possession of the representative of law of the former owner or cannot be obtained, an affidavit similar to that for a lost or destroyed certificate of registration on suitable form provided by the department shall be filed with the department by such legal representative and a certificate of registration shall be issued to the purchaser or transferee as in other cases.

Every certificate of registration assigned shall be filed with the duplicate

record of the motor vehicle in the office of the department. Upon receiving a certificate of registration which has been assigned to a purchaser of the motor vehicle the department shall provide in place of the old a new plate for the addressograph or similar machine, having the same numbers and date of payment of license, but having the name of the new owner. A new certificate of registration and a suitable record thereof shall be struck with the new plate and the certificate of registration shall be mailed to the address of the purchaser named therein and the record thereof mailed to the treasurer of the county where the vehicle is kept. Such new certificate shall be furnished as often as the vehicle shall be transferred by assignment on certificate of registration. Any such certificate of registration shall be the subject of larceny and shall constitute an obligation referred to in the statutes on forgery. A duplicate certificate of registration shall be struck and issued to the proper person by the department without payment of a fee when a suitable affidavit on blank furnished by the department is filed, proving the loss or destruction of the original and that no assignment of the original has been made to any person.

Sec. 7. Whenever more than fifteen days before the date the license tax shall become due any owner of a licensed motor vehicle shall change his permanent address to any other county or remove the motor vehicle permanently from the county in which license tax is next payable, and for the purpose of keeping it in another county, or out of the state, such owner shall in any case notify the county treasurer of the county where the motor vehicle was kept and the county treasurer shall upon a suitable duplicate license change form note the changed address of owner or county of keeping the motor vehicle or both, and attach one copy to the record of the vehicle in his office and mail the other on the same day to the department. The department upon receiving such record of a changed address or place of keeping the motor vehicle shall file same with duplicate record of the motor vehicle and when the change is to another county within the state provide a new plate for the addressograph or similar machine. Such plate shall have upon it the changed address of owner together with the number of the county to which the change of place of keeping the vehicle is made, if any, but the license number and plates shall not be changed by reason of any change in address or place of keeping the motor vehicle. Thereafter the license tax shall be payable in the county to which such change of keeping said vehicle is made. If the motor vehicle shall have been removed permanently out of the state as shown by the change return of the county treasurer, the department shall cancel the license on the record in his office and return a license change form so indicating such cancellation to the county treasurer of the proper county. Should any of the information with respect to change of address of an owner or the place where the vehicle is kept come to the department he shall note the change on such duplicate license change form, retain one and send the other to the county treasurer of the proper county, proper county proceeding in the same manner.

Sec. 8. Ten days before the expiration of one year from the date of the payment of any license tax on a motor vehicle the department shall



stamp with the plate as provided for the addressograph or similar machine a notice to the owner that the license tax will become due on the anniversary of the date the license was paid at the treasurer's office of the county where payable; such notice shall be mailed to the owner at his postoffice address as shown by the duplicate record. At the same time the department shall in the same manner stamp with such plate on the machine a license tax warrant which shall give the amount of license tax to be collected with direction to the county treasurer or the sheriff receiving it to collect the same with penalty and costs. There shall be suitable blanks on the warrant for return to be made by the county treasurer and by the sheriff. A detachable memorandum shall be appended which shall be filled out by the county treasurer when the license tax is paid, and shall when filled out be filed with the record of license in the county treasurer's office. The license tax warrant when stamped shall be mailed to the county treasurer of the county indicated by the number of the license or to the county of the number to which removal of the motor vehicle has been last made as is shown by the record. If the license tax is paid to the county treasurer when due or within five days thereafter the county treasurer shall file the detachable memorandum with the record of the license and make return of the warrant showing tax paid, to the department which shall file the same with the record of the license in his office. The license tax for a motor vehicle shall be due on each anniversary of the date of payment of first license tax. If the license tax warrant for any motor vehicle is not paid five days after due at the county treasurer's office, the county treasurer shall deliver the same to the sheriff of the county. The sheriff shall forthwith collect the amount of the license tax with ten per cent penalty and the mileage allowed sheriffs for travel in service of other process and may collect same by distress and sale of the motor vehicle if necessary and when such distress and sale is had shall collect in addition to the foregoing items the costs of such distress and sale.

Should the motor vehicle be found to be permanently removed to another state and licensed there, or be junked or dismembered or reconstructed, the facts shall be stated in the return on the warrant. If the motor vehicles shall have been removed to another county without the owner having made the proper record and the sheriff shall know the whereabouts of said vehicle he may forward the warrant to the sheriff of the county where such vehicle is at the time, or he may follow the vehicle and collect the license tax penalty and costs in any county of the state. In all cases return of the license tax warrant shall be made by the sheriff to the county treasurer of the county receiving it who shall make return to the secretary of state, and the costs of the various sheriffs executing the warrant shall be noted thereon. The warrant shall be filed with the record of the proper license number in the department when fully executed and finally returned and in case of change of address or removal of vehicle, the proper records shall be made in a similar manner as when the notice of change or removal is given by the owner. The detachable memorandum appended shall likewise be finally filed with the record of the county treasurer.

Sec. 9. The department shall provide the county treasurer of each county with number plates purchased by the executive council for motor vehicles. The number plates shall be in duplicate, two for each car and shall be in series for each county with a number for each county beginning the figures. Following the figures indicating the county shall be four ciphers or digits, so that the whole number on the plate shall have five or six figures. The series of the numbers for each county shall begin with 1 in the last place of the number and progress until the remaining places of the number plate are filled with digits, using ciphers for the figures between the series figures and the figure representing the county. At any time when the total number of figures in a series for any county shall reach the figures "9,999" a new series of numbers shall be started using the same county number on the plate. After the first series the successive series of numbers after the county number may be indicated by the successive letters of the alphabet following the number on the plate and beneath the initials of the state on the plate. Number plates for motorcycles, trailers and all motor vehicles having less than four wheels and weighing less than 500 pounds unloaded shall be provided only for the department and may be in such lettered series after the first as the department may fix. Dealers' plates shall be provided only for the department and shall be in a separate series without a county number, but with the letter "D" preceding the number and new series may be provided after the numbers reach "99,999".

Number plates shall be provided in sufficient quantities to at all times meet the demand for the same three months in advance, as nearly as can be determined. Such number plates shall be of metal, at least six inches wide and not less than fifteen inches in length, on which there shall be the initials IA and there shall be the distinctive number assigned to the vehicle set forth in numerals four inches long, each stroke of which shall be at least five-eighths of an inch in width, provided that the number plates for use on a motor bicycle or of a motorcycle or trailer shall be one-half the size above stated.

In the event of loss, mutilation or destruction of any number plate, the owner of a registered motor vehicle, or person entitled thereto as the case may be, may obtain from the department duplicate thereof upon filing in the office of the secretary of state an affidavit showing such facts and the payment of a fee of fifty cents for each plate.

Sec. 10. The executive council shall purchase all number plates, containers and other supplies required by this act after receiving competitive bids under open specifications. The bidders shall be required to furnish samples of such supplies and in awarding the contract the council may consider the quality and suitability of the samples submitted as well as the prices quoted. A record of all bids submitted shall be kept and the samples submitted shall be preserved until the next subsequent letting. The successful bidder shall be required to execute to the state a good and sufficient bond in such amount as the executive council shall require, conditioned upon the plates furnished being in accordance with the samples

and specifications, and providing for liquidated damages for failure to deliver plates at the time specified in the contract. In lieu of purchasing under competitive bids the council shall have authority to arrange with the board of control to furnish such supplies as may be made at the state institutions. Should an arrangement be made between the executive council and the board of control whereby the number plates shall be made at the state institutions, seventy-five thousand dollars (\$75,000) or as much there of as may be necessary, shall be set aside from the automobile fund before division to the board of control for the purchase of material and supplies necessary to furnish said number plates.

Sec. 11. All motor vehicles shall be classified by the executive council biennially July 1 according to their average retail market value in the state, assuming they are new, in classes of five hundred dollars or fraction thereof, and multiples of five hundred dollars and fractions thereof. The license tax shall be for each car three dollars for each five hundred dollars or fraction thereof in value in such classification, and thirty-five cents per hundred pounds on the weight of the car. After the motor vehicle is four year old the license tax based on valuation shall be 60% of the tax when new and after the motor vehicle is six years old the license tax shall be 40% of such tax when new. The secretary of state shall publish schedules of the classifications and weights of various known makes of cars with amount of license tax, and furnish in suitable numbers to the county treasurers of the state. Should any motor vehicle including reconstructed vehicles not be classified by the executive council and not be contained in such published schedule the county treasurer shall fix the license tax upon the said classification estimated value and on the weight, all as represented by the owner or found by the county treasurer. To meet necessities of bringing the motor vehicle fund up to the requirements of provisions for federal aid of highways in this state, the executive council may increase the license taxes herein not exceeding twenty per cent.

Sec. 12. Any dealer in motor vehicles may take out a general motor vehicle license and the law relating to licensing of motor vehicles is hereby modified for dealers for the purposes herein provided as follows:

The dealer shall prove by filling out and filing with the county treasurer of his county suitable affidavit that he is regularly engaging in business as a dealer, giving the list of the make, style or type of motor vehicles which he proposes to handle, which list shall include the weight of each style, the retail market value when new, and such other information as the department shall require in a suitable blank affidavit. He must state approximately the number of motor vehicles that he expects to handle per year, whether he is the agent of some other dealer or is the principal dealer and where the location of his business and agencies within the county are located, together with the dealers' business address, and the address of the person making the proof.

The dealer shall pay to the county treasurer of each county where the dealers' business is situated, a license tax of twenty dollars for each license taken out. The license card shall be filled out except as to license

number and retained by the county treasurer and the duplicate record shall be sent to the department which shall assign to said duplicate record a dealer's license number in the progressive numerical order of the motor vehicle number plates in the series giving to existing dealers their present numbers when all license fees have been paid and promptly mail to the treasurer of the county from which such duplicate record was received such duplicate dealer's number plates with name of the dealer written on the envelope containing them. On receipt of such plates the county treasurer shall issue the license card for such dealer's license, filling in the license number as returned by the department for the particular duplicate record for the dealer, and shall deliver the license card for such dealer's license with the set of duplicate plates returned by the department. The license card shall be issued to such dealer for each license so taken out for him and record made the same as in other cases, such license card for dealers shall omit the engine or factory numbers, but shall have the number of the county assigned by the department. The blanks for make and style of motor vehicle on said license shall be filled in only for the principal line of motor vehicles handled by such dealer. The county treasurer shall not furnish license number plates other than those having the letter "D" and sent to the county treasurer by the department to correspond with the license card issued.

The license card for dealers need not be displayed upon the vehicle. The license with accompanying number plates may be used by such dealer on different cars kept by him for sale, and such license and the number plates used therewith shall only be used by such dealer upon motor vehicles which are operated by their own motor power for the purpose of transportation or demonstration and exhibition of said motor vehicles for testing or sale. The dealer's license shall not apply to and the number plates accompanying it shall not be used upon any motor vehicle which is being operated for private or public use, or for hire or service or any other purpose than that contemplated by this section. Additional sets of number plates shall be furnished with each license to any dealer and bearing the same numbers upon payment of an additional fee of \$5.00 and the number of such additional sets of plates shall be noted on the record.

Sec. 13. The law with respect to the register of motor vehicles, payment and collection of license tax therefor shall be modified as applying to motor cycles, trailers and to motor vehicles of less than four wheels and weighing less than five hundred (500) pounds in the following particulars:

Such vehicles shall be required to carry only one number plate in the rear of the machine.

The license fee shall be paid as in other cases, but shall be paid and become due on the first day of January in each year and the license card held until the number plate for such vehicle shall be mailed by the department to the county treasurer.

Upon filing of the duplicate record with the blank for license number unfilled in the office of the department, he shall supply the license number

therein, and the number plates be mailed to the county treasurer who shall supply the license numbers to the license card and record in his office and deliver the card with the plates.

The license card issued by the county treasurer to the owner of such motor vehicle shall not be required to be displayed upon such motor vehicle, or carried in any holder thereon as on other motor vehicles.

The department shall keep a single series of numbers for this class of vehicles in a similar manner in which series of numbers are kept for each county with addressograph or similar machine plates and records.

The number plates for this class of vehicles shall have the last figure of the year for which they are issued, underneath the letters "IA" and may be in different colors for different years. Renewal plates shall be issued each year for the same vehicle until registration shall finally expire when old numbers may be assigned to other similar vehicles.

Sec. 14. The provisions of law relative to license and registration and display of license card and numbers shall not apply to a motor vehicle owned by a non-resident of this state and kept a majority of the time out of the state and provided that the owner himself shall have complied with the provisions of the law of the foreign country, state, territory or federal district of his residence relative to registration of motor vehicles and the display of license or registration numbers or insignia thereon, and shall conspicuously display such insignia and numbers as required thereby. The provisions of said law, however, shall be operative as to motor vehicle owned by a non-resident of this state only to the extent that under the laws of the foreign country, state, territory or federal district of his residence like exemptions and privileges are granted to motor vehicles duly registered under the laws of and owned by the residents of this state.

Sec. 15. All license tax, transfer and other fees herein provided for shall be and continue a lien against the motor vehicle for which said tax and fees are payable until such time as they are paid as provided by law, with any accrued penalties and costs. The lien of the license tax shall attach at the time the same is payable until such time as they are paid as provided by law, with any accrued penalties and costs. The lien of the license tax shall attach at the time the same is payable as provided by law. The collection of same may be enforced against said motor vehicle by distress and sale or it may be collected by suit against the owner who shall remain personally liable therefor until such time as transfer thereof shall be reported to the department in the manner provided by law, or until such time as said vehicle ceases to be in use and all license tax fees and penalties to such date shall be paid. A penalty of ten per cent shall be added to all license tax not paid within five days after due. Each three months or as often as necessary the department shall send to the sheriff of each county and such other peace officers as he may select, a list of every motor vehicle, the license tax of which has not been paid and the return of which license tax warrant discloses the motor vehicle has not been found or that the owner is evading payment of license tax, which list shall show the amount of delinquent tax, and fees, registration number, engine or

factory number, make, and the name of the owner, in each case as disclosed by the records. It shall be the duty of every peace officer to apprehend any motor vehicle or owner which has escaped or evaded payment of the license tax. Should it be necessary to seize the car for the purpose of enforcing said lien, the sheriff is given all of the right and authority now given to him or to special tax collecting agents in the collection of personal property taxes as provided in section 1406 of the code, and in addition to the ordinary costs payable in such cases, shall be added an attorney's fees to be paid to the county attorney in the sum of ten per cent upon the amount of tax and penalty so collected, which attorney's fees shall be taxed as a part of the costs. All fees and penalties collected by the county attorney shall be remitted to the county treasurer of the proper county, except such sums as may be due the sheriff and county attorney which may be paid to them and receipt made on license tax warrant. Immediately upon receipting proceeds of collection of any license tax, penalty or fees, the county treasurer shall execute to the party paying same or to the purchaser at a sale of the distressed vehicle a license card therefor as in other cases, and make the proper record and return to the department.

When any motor vehicle is apprehended by any peace officer which has not had its license tax paid or which is on the list of delinquent license taxes published by the secretary of state or for which the license tax warrant for which is not in the hands of the peace officer apprehending the same, the peace officer shall immediately notify the officer having the license tax warrant if he can be found and if he cannot be found then the department shall send a license tax warrant to such officer for the collection of tax, who shall execute the same and make return for the same as a sheriff to whom the county treasurer has delivered such a warrant. If any motor vehicle be apprehended by any peace officer operating upon the highways which has not been heretofore licensed and is without proper numbers and license card the peace officer shall hold the same until the owner can reasonably secure from the proper county the requisite license card and numbers, and if the owner refuses or fails within twenty (20) days to license and register the vehicle the peace officer shall sell the vehicle under distress for the charges of card, costs, penalties and fees and the purchaser shall before operating the same with its own power license such vehicle as provided by law.

Sec. 16. Each manufacturer or dealer selling or otherwise disposing of motor vehicles, theretofore unregistered in this state, to residents of this state shall report to the department each such sale made; the makes, styles, weights and retail market value when new; such reports shall be made on blanks to be furnished by the department upon request and shall be made in such manner as he may direct.

It shall be the duty of the several assessors in their respective townships, cities or towns to list all automobiles at the time of making assessments the same as other property in a book to be prepared and furnished by the respective counties for that purpose, showing the name of the owner, the license number of the car, style of car, and engine or serial number of the car, and to furnish the county treasurer of their sev-

eral counties on or before April 15th of each year a list showing the names of the car owners and the other facts enumerated herein in alphabetical order. And it shall be the duty of the county treasurer of each county to prepare a like alphabetical list of his county from the several lists furnished by the assessors and file a copy of the same with the treasurer of state within thirty days after the same are received from the assessors; said lists to be used by the several county treasurers and the state treasurer in checking up those delinquent in the payment of license fees.

Sec. 17. In the first week of July of each year the county treasurer shall cause to be published in each of the official newspapers in his county, a list of all motor vehicles owned within his county upon which the license fee has not been paid for the past year. When due such list shall show the factory number, make and model of the vehicle together with the name and post-office address of the owner thereof as shown by the records of his office and the amount of the license fee and penalty due upon the vehicle.

The county treasurer shall collect from each delinquent, fifty cents (\$.50) on each vehicle on which the fee is delinquent to cover cost of publication.

Sec. 18. All motor trucks and trailers, of a capacity of one ton or over, shall have attached thereto a conspicuous metal plate giving the actual weight of the vehicle as equipped and weight of loading capacity as specified by the manufacturer or make and no license shall be issued until the vehicle is so equipped. No greater weight or load shall be allowed than specified on the load capacity plate. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction, subject to a fine of not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for the first and second offenses. Upon the third conviction, the department shall have authority to cancel the certificate of registration and call in the number plates and a new license shall not be issued for any such motor vehicle for a period of one year.

Sec. 19. It shall be unlawful for any person known as a chauffeur, and employed for hire therefor, to operate or drive a motor vehicle upon the public highways, or streets, of cities or towns of this state, unless licensed by the department as herein provided.

Any person desiring a chauffeur's license shall file with the department an application under oath stating his name, residence, business address, if any, age, color, single or married, whether he has ever been convicted of a violation of the motor vehicle laws of this state or any other state, or has been convicted within one year of intoxication, and such other information as the department may require. Such license shall not be issued until the department is satisfied that the applicant is over eighteen (18) years of age and is a fit and proper person to receive such license. The fee for chauffeur's license shall be two dollars (\$2.00) payable annually and shall expire on the last day of the year in which it is issued.

To each person shall be assigned a distinguishing number and the department shall issue to the licensee a certificate containing the distinguishing number or mark assigned to the license, his name, age, place of residence, business address, if any, and a brief description of the license for purpose of identification, and such other information as the department shall deem necessary. Every person licensed as a chauffeur, shall endorse his usual signature on the license certificate and his license shall not be valid until the certificate is so endorsed.

The department shall also furnish, without extra charge therefor, to each chauffeur licensed, a suitable metal badge with the number assigned to him stamped thereon, such badge to have stamped thereon the words "Registered Chauffeur No. . . . . , Iowa," and year of issue.

This badge shall thereafter be worn by such chauffeur, affixed to his clothing in a conspicuous place, at all times when he is operating a motor vehicle upon the public highway, and the license certificate shall be carried at all times when he is operating a motor vehicle upon the public highway and shall be produced for inspection upon request by any peace officer. In case of the loss of such badge or certificate a duplicate will be issued by the department on the filing of an affidavit showing the fact of loss, and on payment of a fee of one dollar (\$1.00) to the department in the case of a badge, and fifty cents (.50) in case of a certificate. Applications for the annual renewal of licenses by chauffeurs shall be accompanied by the fee required by this section. No chauffeur's license or badge shall be issued to any applicant under the age of eighteen (18) years; PROVIDED, that it shall be unlawful for any person to cause, or knowingly to permit his or her child, ward or employee to operate a motor vehicle upon the public highway, as a chauffeur without first having obtained such license as hereinbefore specified; and the application to the department of a minor to operate motor vehicle, as chauffeur, shall not be granted by the department unless the parent or parents having the custody of such applicant or the guardian of such applicant shall have joined in said application by signing the same; AND PROVIDED FURTHER, that any negligence of a minor, so licensed, in operating a motor vehicle upon the public highway, as chauffeur, shall be imputed to the person, persons or corporation, who shall employ said chauffeur, which person, persons or corporation shall be jointly and severally liable with such minor for any damage caused by such negligence.

Upon the receipt of an application, the department shall register the applicant in a book or on index cards which shall be kept in the same manner as the books or index cards for the registration of motor vehicles.

No person shall use a fictitious name in applying for such chauffeur's license, nor shall any chauffeur voluntarily permit any other person to possess or use his license certificate or badge; nor shall any person, while operating a motor vehicle, use or possess any license certificate or badge belonging to another person.



No person shall display or cause or permit to be displayed, or have in his possession, any canceled, revoked, altered or fictitious registration number plate, registration certificate, chauffeur's license certificate or chauffeur's badge, as the same are respectively provided for in this act.

The official head of the department may, after due hearing, upon not less than five (5) days' notice to be sent by registered letter to the address given by the person seeking a chauffeur's license, which shall constitute a sufficient service of notice, suspend or revoke the chauffeur's license issued to any person under this act, for any cause which he may deem sufficient, or he may, when a chauffeur has been convicted a third time of a violation of any of the provisions of this act, revoke or suspend the license of the chauffeur so convicted and no new license shall be issued to such person for at least one (1) year after the date of revocation of such license nor thereafter except in the discretion of the said officer. Any certificate of license issued to any chauffeur to operate motor vehicles upon an application or statement which is untrue as to any material fact, shall be void from the date of issue.

Any chauffeur whose license shall be revoked by the department, or shall be found to be void, shall forthwith return his license certificate and badge to the department. If any chauffeur or other person shall without the consent of the owner take or cause to be taken any automobile or motor vehicle and operate or drive or cause the same to be operated or driven, he shall be imprisoned in the penitentiary not to exceed one year or be imprisoned in the county jail not to exceed six months, or be fined not to exceed five hundred dollars (\$500.00).

The license fees received from chauffeurs and any other fees which may be received by the department under this act shall be a part of the motor vehicle fund.

Sec. 20. No person under fifteen (15) years of age shall operate or drive a motor vehicle by permission from the owner of the car and unless such person be accompanied by a person of mature years and in all cases where damage is done by any car driven by any person under fifteen (15) years of age and in all cases where damage is done by the car, driven by consent of the owner, by reason of negligence of the driver, the owner of the car shall be liable for such damage.

Sec. 21. The department with the advice and approval of the executive council, shall provide all necessary blanks, forms, orders, rules and requirements necessary to properly carry out the law relating to the licensing and taxing and registration of motor vehicles and shall, with such advice and approval of the executive council, adopt a suitable filing system for records under this motor vehicle license law and shall require the county treasurers of the state to use such filing system as may be prescribed for the records in each county and the respective boards of supervisors of the counties shall provide such required equipment. The department with the advice and consent of the Execu-

tive Council may, if the addressograph or other similar machine does not prove economical, efficient or practical, provide that the work to be done by such machine or any part thereof shall be done by other means.

Sec. 22. All motor vehicles owned and used in the transaction of official business by the representatives of foreign powers or by officers, boards or departments of the government of the United States, and by the state of Iowa, counties, municipalities and other sub-divisions of the government, and such self-propelling vehicles as are used neither for the government, and such self-propelling vehicles as are used neither for the conveyance of persons for hire, pleasure or business, nor for the transportation of freight, and small trailers under one thousand (1000) pounds capacity, equipped with rubber tires, used and attached to pleasure motor vehicles and used for carrying personal baggage or effects, are hereby exempted from the payment of the fees in this act prescribed. The department shall furnish, on application, free of charge, distinguishing plates for motor vehicles, except exempted trailers thus exempted and keep a separate record thereof.

Sec. 23. The registration fees imposed by this act upon motor vehicles, other than those of manufacturers and dealers, shall be in lieu of all taxes, general or local, to which motor vehicles may be subject.

Sec. 24. Any person who shall wilfully make any false statement required in the licensing and registration of a motor vehicle, or who shall evade or attempt to evade the payment of the license tax, or any person who shall wilfully or maliciously remove any license card or license number from a motor vehicle, or who shall apply to any motor vehicle number plates not corresponding to the license, or shall apply or use any license card in connection with any such motor vehicle, which does not belong to, or apply to the same, or who shall change any such number plates or license card from one motor vehicle to another and not in conformity with the license, and any person who shall violate any of the provisions of the law relating to the licensing and registration of motor vehicles, and the payment of the license tax, for which no higher penalty is prescribed, including any person who shall violate any provision for which no punishment has been specified, shall be guilty of a misdemeanor, punishable by a fine not exceeding one hundred dollars (\$100.00), or imprisonment in the county jail not exceeding thirty (30) days.

Sec. 25. It shall be unlawful for any person, firm, association, or corporation to buy any second hand or used automobile, or motor vehicle or new motor vehicle theretofore licensed without requiring and receiving from the vendor thereof, a certificate of registration and transfer from the officer whose duty it is to register or license motor vehicles in the state in which said motor vehicle is registered or licensed, showing the factory number, license number, description, and ownership of said automobile or motor vehicle or to sell or offer for sale any second hand or used automobile or motor vehicle without furnishing to the vendee of said automobile or motor vehicle, a certificate of registration and transfer from the officer whose duty it is to register or license automobiles and motor ve-

hicles in the state in which said automobile or motor vehicle is registered or licensed, showing the factory number, description, license number and ownership of said automobile or motor vehicle.

It shall also be unlawful for any person, firm, association, or corporation to deface, change or transfer any serial number, engine number or assembling number of a motor vehicle or registration number or certificate of registration or to have in his or its possession an automobile or motor vehicle, the serial number or engine number of which is defaced, changed or tampered with unless said person, firm, association or corporation has in his or its possession a certificate of registration and transfer from the officer whose duty it is to register or license automobiles and motor vehicles in the state in which said automobile or motor vehicle is registered, showing good and sufficient reason why numbers are defaced, changed, or tampered with; and also showing the original serial or engine number, and also showing the ownership of said automobile.

Any person, firm, association or corporation found guilty, personally or by agent, of violating any of the provisions of this section shall be imprisoned in the penitentiary not more than five (5) years or be fined not more than one thousand dollars (\$1,000.00) and be imprisoned in the county jail not more than one (1) year.

Sec. 26. Ninety-five per cent of all moneys paid into the treasury of each county pursuant to the provisions of this act shall be known as the motor vehicle road fund and shall be apportioned among the several counties in the state in the ratio which the number of townships in the several counties bear to the total number of townships in the state. The said apportionment shall be made by the state treasurer on records obtained from the department and it shall be the duty of each county treasurer to transmit to the treasurer of state any excess of such moneys not due his county. Said apportionment shall be made on the first day of January each year of the funds collected during the preceding year. On the first day of April in each year the state treasurer shall remit to the county treasurers of the several counties of the state the amount due the respective counties on the apportionment so made and the county treasurer of each county immediately upon receipt of such money shall charge himself therewith, and notify the county auditor of the amount of money so received.

Five per cent of all moneys paid to the county treasurer in each county for license tax of motor vehicles shall be paid to the state treasurer. One-half of said five per cent shall be set aside and shall constitute a maintenance fund for the state highway commission. Said two and one half per cent shall be used for no other purpose than as a maintenance fund for said state highway commission, and shall be drawn out only on warrants drawn by the auditor of state on itemized vouchers approved by the state highway commission, the expenditures of which commission shall be audited by the executive council, and a full and complete report under the act creating the state highway commission. The remaining two and one half per cent of said moneys shall be transferred to the proper state funds

for use for the maintenance of the automobile department. Any money remaining in the state highway maintenance fund at the end of a biennial period, as well as any portion of the remaining two and one half per centum of the moneys paid into the state treasury, not required for the maintenance of the automobile department, shall be apportioned among the several counties in the same manner as the ninety five (95) per cent of said funds is apportioned and shall be distributed and constitute part of the county motor vehicle road fund as herein before provided.

The county treasurer of each county shall pay into the treasury of the cities and incorporated towns in such county a portion of said motor vehicle fund to be determined as follows: Each city or incorporated town shall receive a share to be determined by the ratio of miles of unpaved streets within the limits of said city or incorporated town to the total number of miles of public roads and unpaved streets within the county; provided, however, that in no case shall the aggregate amount apportioned to the various cities and towns exceed ten per cent of the total amount apportioned to the county. Any such apportionment to cities and towns shall be expended by them only for the purpose of improving the unpaved streets and roads connecting directly with the county or township road systems, or by order of the city or town council or commission the apportionment may be transferred to the county road cash fund and be expended on the county road system. For the purpose of making such apportionment the city or town clerk shall file in the office of the county treasurer ten days before the first day of January in each year a certified statement of the number of miles of unpaved streets within such city or town, and the county auditor shall make a like statement of the number of miles of highway in such county outside the limits of cities and incorporated towns. The treasurer of each city or town shall charge himself with the sum received from said apportionment and shall forthwith give notice to the city or town auditor or clerk of the amount of money so received. The total amount of such funds received by the county treasurer, less the amount apportioned to the state and to the various cities and towns, as herein provided, shall constitute the county motor vehicle road fund and shall be expended for the following purposes only: The crowning, draining, dragging, oiling or gravelling of public highways. Such fund shall be paid out on warrants drawn by the county auditor, duly authorized by the board of supervisors and entered of record. The same procedure shall apply to the expenditure of this fund as to the expenditure of other road and bridge funds. Provided, however, that all provisions relating to the use of said funds shall be in accord with the provisions of any act passed by the Thirty-eighth General Assembly or thereafter for the improvement of the highways of the state.

Sec. 27. (a) Every motor vehicle, while in use on the public highways of this state, shall be provided with adequate brakes. (b) Every motor vehicle shall be equipped with a suitable bell, horn, or other signalling device producing an abrupt sound sufficiently loud to serve as an adequate warning of danger, but no persons operating any motor vehicle shall make or cause to be made any unnecessary noise with such bell, horn or signalling device, or use the same except as a warning of danger. Loud sig-

nalling devices shall not be used during the period of from one hour after sunset to one hour before sunrise, unless absolutely necessary to avoid accidents. An adequate signalling device shall in all cases be sounded on approaching curves, tops of hills, and intersecting highways in the country where the operator's view is obscured. (c) All motor vehicles in use on the public highways excepting motorcycles, motor bicycles, and such motor vehicles as are properly equipped with one light in the forward center of such motor vehicle, shall, during the period of from one-half hour after sunset to one-half hour before sunrise, display two or more white or tinted lights, other than red, on the forward part of said vehicle, so placed as to be seen from the front, and of sufficient illuminating power to be visible at a distance of five hundred (500) feet in the direction in which displayed, and to reveal any persons, vehicle, or substantial object seventy-five (75) feet ahead of the lamps. Such motor vehicle when in use shall also display on the rear a lamp so constructed and placed as to show a red light from the rear and throw a white light directed upon the rear registration marker and render the numerals thereon visible for at least fifty (50) feet in the direction from which the vehicle is proceeding. Motorcycles, motor bicycles and motor vehicles equipped with one light as herein provided, shall display on the forward part one white or tinted light, as aforesaid, and a red light to the rear, so constructed and placed as to throw a white light directly upon the registration marker as prescribed in the case of any other motor vehicles, provided that the operator of any motor vehicle may proceed in a cautious and careful manner, in the event of a failure of one or more of his lights to operate, toward his destination, but he shall take the first reasonable opportunity to put his lights in order, otherwise to be deemed guilty of violation of this provision. The provision as to the rear light shall also apply to vehicles which are trailed or towed by motor vehicles. It shall be unlawful to use on a vehicle of any kind operated on the public highways of this state, including motorcycles, any lighting device of over four (4) candle power, equipped with a reflector, unless the same shall be so designed, or arranged that the directly reflected and undiffused beam of such light when measured seventy-five (75) feet or more ahead of the light shall not rise above forty-two inches from the level surface on which the vehicle stands under all conditions of load. If, in addition to headlights, any such vehicle is equipped with any auxiliary light, projecting lights, or devices other than the rear lamp, such auxiliary light or lights shall be subject to all the restrictions of this section, regarding direction of the beam. If a spotlight is used on a motor vehicle it shall be unlawful for any person to direct its rays toward the eyes of the driver or occupants of an approaching vehicle, or to the left of the center of the traveled way when meeting another vehicle. No person shall operate a motor vehicle on any highway of this state equipped with an electric bulb or other lighting device of a greater capacity than thirty-two (32) candle power, no matter how the same may be shaded, covered or obscured. Any person who shall turn all or any of his motor vehicle's lights off for the purpose of avoiding arrest or identification, shall be deemed guilty of a misdemeanor and, upon conviction, subject to a fine of one hundred dollars (\$100.00) or imprisonment for a period of not to exceed thirty (30) days, or both fine and imprisonment. (d) It shall be unlawful for any

operator of any motor car, taxicab, automobile, motor truck or motorcycle, while on the public highway, to use any cutout fitting or other apparatus or device which will allow the exhaust gases from the engine of the motor vehicle to escape into the atmosphere without first passing through a silencer, expansion chamber, or other contrivance suitable and sufficient for reducing as far as may be reasonably practicable, the noise which would otherwise be caused by the escape of the said gases, provided further, that it shall be unlawful for any person to drive or to permit to be driven on the streets of any city or town, any motor vehicle at any time with the muffler cut out or not in operation. Any violation of this section shall constitute a misdemeanor, and upon conviction, shall be punishable by a fine of not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00) for the first and second offense, provided further that for the third conviction the department shall revoke the license and certificate of registration of the person so convicted and no new license or certificate shall be granted to the person for a period of one (1) year.

It shall be the duty of the mayor of cities and towns, the police, sheriff, and all peace officers to enforce provisions of this act.

Sec. 28. Upon approaching any person walking in the traveled portion of any public highway, or a horse or any animal being led, ridden or driven thereon, or a crossing or intersection of public highways, or a bridge, or a sharp turn, or a curve, or a steep descent, and also in passing such person or such horse or other animal, and in traversing such crossing, bridge, turn, curve, or descent, the person operating a motor vehicle or motorcycle shall have the same under control and shall reduce the speed to a reasonable and proper rate.

Except where safety zones are provided, and the highway is of sufficient width to admit of safe passage, the driver or operator of every vehicle shall bring the same to a full stop not less than five (5) feet from the rear of any street car headed in the same direction which has stopped for the purpose of taking on and discharging passengers, and remain standing until such car has taken on or discharged its passengers. Any person violating any requirement of this section shall be deemed guilty of a misdemeanor and subject upon conviction to a fine of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00) for the first offense. The provisions of this section shall apply to the operator who causes his motor vehicle to be operated in violation of this section.

(a) The operator of a motor vehicle 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 center of the street.

(b) The operator of a motor vehicle, when overtaking and passing another vehicle, shall pass to the left and shall not drive to the right until clear of such vehicle.

(c) 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 and extending the hand and indicating with it the direction in which he wishes to turn.

(d) The operator of a motor vehicle, in turning to the right from one street or highway into another, shall turn the corner as near the right hand as practicable, 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.

(e) The operator of a motor vehicle, in crossing from one side of the 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.

(f) In cities and towns it shall be unlawful to stop a motor vehicle on the street unless the right side thereof is next to and parallel with the curb and as near thereto as the condition 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.

(g) 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 districts.

(h) 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.

(i) Where two vehicles are approaching on any public street or highway so that their paths will intersect and there is danger of collision, the vehicle approaching the other from the right shall have the right of way.

(j) 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 fifteen (15) feet of the corner or within fifteen (15) feet of any hydrant.

(k) In cities and towns no motor vehicle shall be left standing in front of or within fifteen (15) feet of either side of the entrance of any theatre, auditorium or 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 is necessary for such purpose.

At theatres and public gatherings in cities or towns, or under unusual circumstances, motor vehicles shall stand or move as directed by the police.

(m) 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 with the engine running.

(n) The driver of any vehicle driven or propelled upon the public highways shall, when overtaken by a faster moving vehicle proceeding in the same direction, upon a signal, either by sounding of a bell, horn or other signalling device, given by the driver of the overtaking vehicle, cause his vehicle to be driven to the right of the center of the traveled way if he can do so with safety and remain to the right of the center of such traveled way until the overtaking vehicle shall have safely passed. Any driver of a vehicle that is overtaken by a faster moving vehicle who fails to heed the signal of the overtaking vehicle when it is given under such circumstances that he could, by the exercise of ordinary care and observation and upon conviction shall be punished by a fine of not to exceed one hundred dollars (\$100.00) or by imprisonment not exceeding thirty (30) days and if upon the trial of the case the person charged with the violation of this provision shall claim that he did not hear the signal of the overtaking vehicle, the burden of proof shall rest upon him to show that he did not hear such signal provided that it shall be proven that the overtaking vehicle gave signal by the use of a bell, horn or other signalling device.

(o) It shall be unlawful for the operator of any motor vehicle to leave it standing, while showing a red light, parallel to, and within twenty-five (25) feet of the tracks of any railroad in cities and towns.

Sec. 29. Every person operating a motor vehicle on the public highway of this state shall drive the same in a careful and prudent manner, and at a rate of speed that will not endanger the property of another, or the life or limb of any person, and shall in no event drive the same at a greater rate of speed than as follows:

(a) Thirty (30) miles per hour if the weight of vehicle and load is less than three (3) tons and the vehicle is equipped with pneumatic tires, and twenty-five (25) miles per hour if such vehicle is equipped with solid rubber tires.

(b) Twenty-five (25) miles per hour if the weight of the vehicle and load is more than three (3) tons and less than six (6) tons and the vehicle is equipped with pneumatic tires, and twenty (20) miles per hour if such vehicle is equipped with solid rubber tires.

(c) Sixteen (16) miles per hour if the weight of the vehicle and load is more than six (6) tons and the vehicle is equipped with pneumatic tires, and twelve (12) miles per hour if such vehicle is equipped with solid tires.

(d) Ten (10) miles per hour if the vehicle or any trailer is equipped with two (2) or more metal tires.



Provided, that the local authorities of any city or town may establish a suburban district in which the maximum speed of any vehicle shall not exceed twenty (20) miles per hour, and a business district in which the maximum speed of any vehicle shall not exceed fifteen (15) miles per hour, provided that such city or town shall have placed conspicuously on each main public highway where the city or town line crosses the same, and on every main highway where the rate of speed changes, signs of sufficient size to be easily readable by a person using the highway, bearing the words: "City of.....," "Town of....." "Slow down to ..... miles" (the rate being inserted), and also an arrow pointing in the direction where the speed is to be reduced or changed, and also on further condition that such ordinance, rule or regulation shall fix the punishment of such ordinance, rule or regulation, supersede those specified in this act.

The total maximum load on any one wheel of any motor vehicle including the weight of the vehicle and the load it carries, shall be four tons, provided the total maximum weight of the vehicle and load shall not in any event exceed fourteen tons. The total load on any wheel of any vehicle shall be limited to eight hundred pounds per inch width of tire in actual contact with the road surface, measured at the narrowest point of the tire, on all highways improved with a rigid surface such as concrete, brick or bituminous pavements on a concrete base; and, four hundred pounds per inch width of tire in actual contact with the surface, measured at the narrowest point of the tire, on all highways having earth, gravel or similar surfaces.

The maximum width of any motor in its load shall be limited to eight feet excepting loads of loose hay, straw and similar farm products.

No motor vehicle shall operate over any highway, improved with a gravel or paved surface, which has projections of metal or wood beyond the tread or traffic surface of the tire excepting vehicles equipped with caterpillar tread, provided that tractors, traction engines or similar motor vehicles may be operated which have "V" shaped or diagonal cleats arranged in such a manner that two or more cleats are continuously in contact with the road surface and that the weight per inch width of such cleats in continuous contact with the road surface measured in the direction of the movement of the vehicle does not exceed eight hundred pounds per inch width of tire.

Sec. 30. Limitations as to the rate of speed herein fixed shall be exclusive of all other limitations fixed by law of this state or any political subdivision thereof. Local authorities shall have no power to enact, enforce or maintain any ordinance, rule or regulation in any way in conflict with, contrary to or inconsistent with the provisions of this act, or of any section or other subdivision thereof, and no such ordinance, rule or regulation of said local authorities heretofore or hereafter enacted shall have any force or effect, excepting, however, that (1) such powers as are now or may hereafter be vested in local authorities to enact ordinances and regulations, applicable equally and generally to all vehicles

and other users of the highways, and providing for traffic or crossing officers or semaphores, to bring about the orderly passage of vehicles and other users of the public highways on certain portions thereof, where the traffic is heavy and continuous, as well as (2) the powers now or hereafter vested in local authorities to license and to regulate the operation of vehicles offered to the public for hire, and to regulate the use of the highways for processions or assemblages, shall remain in full force and effect, and all ordinances, rules and regulations which may have been or which may be hereafter enacted in pursuance of such powers, shall remain in full force and effect; and provided, further that local authorities may by general rule ordinance or regulation, exclude vehicles from any cemetery or ground used for the burial of the dead, or exclude vehicles used solely or principally for commercial purposes, from any park or part of park system where such general rule, ordinance, or regulation is applicable equally and generally to all other vehicles used for the same purpose; provided, that at the entrance or at each entrance if there be more than one, to such cemetery or park from which vehicles are so excluded, there shall have been posted a sign plainly legible from the middle of the public highway on which such cemetery park opens, plainly indicating such exclusion and prohibition; and provided, further, that the local authorities of any city, town, or city and county may impose additional restrictions to those herein contained applicable to vehicles exclusively used in the carrying of merchandise or articles of freight, and of a capacity in excess of one ton in weight and may designate certain streets whereon heavy laden vehicles may be excluded or declared to be "one way" streets, may further, restrict, or prohibit, the use of trailers. Provided, further, that where local authorities of other state shall, by adoption of rules and regulations or otherwise, prohibit motor vehicles from operating upon highways in any subdivision of such other state which motor vehicles are duly licensed under the laws of this state, then in such cases the local authorities of this state may, by ordinance or otherwise, require the motor vehicles of the subdivisions of such other state while operating by their own power in this state to be licensed under the laws of this state.

Sec. 31. The violation of any of the provisions herein shall constitute a misdemeanor punishable by a fine of not to exceed one hundred dollars, except as otherwise provided in this act.

Sec. 32. Whoever operates a motor vehicle while in an intoxicated condition shall be guilty of a misdemeanor, and shall be punished as provided by section 4906 of the Code. Any person operating a motor vehicle, who, knowing that injury has been caused to a person, due to the culpability of said operator, or to accident, leaves the place of said injury or accident without stopping and giving his name, post-office address, including street number, and registration number of said motor vehicle, to the injured party, and give such aid to the injured person as the circumstances may require, shall be guilty of a felony punishable by fine of not more than five hundred dollars (\$500.00) or by imprisonment for a term not exceeding two (2) years or by both

such fine and imprisonment; and if any person be convicted the second time of either of the foregoing offenses, he shall be guilty of a felony punishable for a term of not less than one (1) year and not more than five (5) years. A conviction of a violation of this section shall be reported forthwith by the trial court or the clerk thereof, to the department, who shall, upon recommendation of the trial court, suspend the certificate of registration of the motor vehicle operated by the person violating this section, or if he be an owner, the certificate of registration of his motor vehicle; and if no appeal therefrom is taken, or if an appeal duly taken be dismissed or the judgment affirmed, and upon notice thereof by said clerk, the department shall revoke the certificate of registration of said motor vehicle, and shall order the certificate of registration delivered to the department, and shall not re-issue said certificate of registration or any other certificate of registration to such person unless the department, in its discretion, after an investigation, or upon rehearing, decides to re-issue or issue a certificate.

Sec. 33. Any person who operates any motor vehicle while a certificate of registration of a motor vehicle issued to him is suspended or revoked, shall be guilty of a misdemeanor.

Sec. 34. Upon conviction of any person for the violation of any of the provisions of this act, the trial court or clerk thereof shall immediately certify the facts of the case, including the name and address of the offender, the judgment of the court and the sentence imposed, to the department, who shall enter the same in the book or index of registration of owners of motor vehicles, opposite the name of the person so convicted, and in case of any other person in a book or index of offenders, to be kept for such purpose. If any conviction shall be reversed upon appeal therefrom, the person whose conviction has been reversed may serve on the department, a certified copy of the order of reversal, whereupon, the department shall enter the same in the proper book or index in connection with the record of such conviction.

Sec. 35. In case any person shall be taken into custody charged with a violation of any of the provisions of this act, he shall forthwith be taken before the nearest magistrate or police judge and be entitled to an immediate hearing or admission to bail, and if such hearing cannot then be had, be released from custody on giving bond executed by a fidelity or surety company authorized to do business in this state, or other bail in the form provided by law, such bond to be in amount not exceeding One Hundred Dollars (\$100.00), if the charge be for misdemeanor, for his appearance to answer for such violation at such time and place as shall then be indicated. In case a person is taken into custody charged with a felony, in violation of any of the provisions of this act, such bond shall be in amount not less than One Thousand Dollars (\$1000.00).

Sec. 36. A conviction of the violation of any of the provisions of this act shall not be a bar to a prosecution for an assault or for a homicide committed by any person in operating motor vehicles.

Sec. 37. It is hereby made the duty of each and every person, firm, association, corporation, co-partnership operating a public garage in this state to keep for public inspection a record of the license number and engine number of all motor vehicles taken in or held in charge by said garage for the purpose of selling, rental, livery, storage or repair. Said record shall contain the name and address of the owner of the motor vehicle, the name and address of the person delivering or taking the motor vehicle to the garage, and the license number and the number of the engine thereof. The alteration or obliteration of said engine number shall be prima facie evidence of larceny of said motor vehicle, and the proprietor, agents, servants or employes, immediately upon the discovery of such obliteration or alteration, shall notify the sheriff and police officers of the proper county, and shall hold the said motor vehicle for a period of twenty-four (24) hours, or until investigation shall have been made by the sheriff or police officers. Provided, however, such record need not be made when a motor vehicle is taken in or held in charge a second time, when the owner or driver is personally known to the proprietor of such garage, his agent or employe.

Any person, firm, association, corporation or co-partnership found guilty, personally or by agent, of violating any of the provisions of this section shall be fined in a sum not to exceed one hundred dollars (\$100.00).

Sec. 38. The department shall issue this act in pamphlet form, together with such rules, instruction and explanatory matter as may seem advisable, copies of such pamphlet shall be given as wide distribution as the department shall determine and a supply shall be furnished each county treasurer.

The department shall have full authority to make such rules and issue such instructions as may be necessary to insure and obtain uniformity in the administration and full enforcement of the provisions of this act. All local officials charged with the administration and enforcement of this act shall act and be governed in their official acts herein required by the rules promulgated by the department.

The department is authorized and directed to employ such assistants and clerks that may be required by the department in the administration of this act, provided, the salaries and number of any such assistants and clerks shall be authorized by the executive council.

Sec. 39. That chapter two-b (2-b) of title VIII of the supplement to the code, 1913, and supplemental supplement, 1915, be and are repealed to take effect on the first day of July, 1920, and the same are also hereby repealed in so far as they are in conflict with the provisions of law in force until the first day of July, 1920, as provided in the laws of the Thirty-eighth General Assembly relating to the regulation, licensing, taxing and registration of motor vehicles.

All motor vehicles which have not theretofore been licensed shall after the 1st day of August, 1919, be licensed under all the provisions of the law with reference to licensing motor vehicles passed by the Thirty-eighth General Assembly, and under all of the law relating to motor vehicles not modified by the acts of such general assembly, and all motor vehicles whose license tax or registration fees shall become due on January 1st, 1920, shall be licensed under the acts of the Thirty-eighth General Assembly, as soon as may be after the first day of January, 1920, and not later than the first day of July, 1920, and the number plates issued and applying to any motor vehicle for the three-year period beginning January 1st, 1919, may be used until the motor vehicle entitled to use them shall be licensed under the law contained in the acts of the Thirty-eighth General Assembly, and not later than July 1st, 1920, said number plates shall not be used in any case after number plates are issued for said vehicle under the law passed by the Thirty-eighth General Assembly.

The Secretary of State may issue call for the various outstanding numbers to take out new license in such order and numbers as he may elect, and the owner shall pay a proportional amount of the tax at the 1919 rate from the first of January, 1920, to the date the numbers are called together with any unpaid tax penalties and costs due to January 1, 1920, in addition to the license tax payable under this act and the penalty for failure to pay the tax on April 1st, 1920, under the law repealed by this act shall attach from and after the time at which such numbered vehicles due to be again registered by the call of such numbers.

By unanimous consent, the report was ordered printed in the journal.

#### THIRD READING OF BILLS.

On motion of Senator Parker Senate File No. 509, a bill for an act requiring all newspapers, magazines and other periodicals published in the state, printed in any language other than English, to print in parallel columns a translation of the contents in the English language, a committee bill, was taken up and considered.

Senator Balkema offered the following amendment and moved its adoption:

Amend by inserting in the first line of Section 1 between the words "that" and "all" the following: "the editorials in"; also by striking from the end of Section 1 the words "the contents of the same" and inserting in lieu thereof the words "such editorials".

The amendment was adopted.

Senator Parker 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.

Senator Parker invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 11.

Adams	Edwards	Stephenson
Anderson	Kimball	V. hite
A'ney	Meredith	Wilson
Byington	Parker	

Nays, 25.

Balkema	Holdoegel	Ratcliff
Ball	Horchem	Reed
Euser	Kingland	Rule
Cessna	Mitchell	Schaffter
Evans	Nelson	Scott
Fellows	Pitt	Stoddard
Foskett	Price	Taylor
Hale	Rainbow	Van Alstine
Haskell		

Absent or not voting, 14.

Brookhart	Greenell	Shane
Broxam	Kimberly	Smith
Coburn	LeCompte	Thompson
Foster	Newberry	Whitmore
Fralley	Proudfoot	

So the bill, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 272, a bill for an act to amend the law as it appears in Chapter three hundred ten (310) Acts of the 37th General Assembly, relating to the drawing of grand and petit jurors, fixing the number thereof, and regulating the method and number of challenges, and the method of exercising peremptory challenges, and of selecting the petit jury from the panel.

Also:

Senate File No. 443, a bill for an act to amend the law as it appears in section eight hundred seventy-nine-r (879-r), supplemental supplement to the Code, 1915, affecting Juvenile Playgrounds.

Also:

Senate File No. 345, a bill for an act to amend Section 1400-c and 1400-h of the Supplement to the Code, 1913, relating to fruit tree preservations.

Also:

Senate File No. 326, a bill for an act repealing Sections 5239-N and 5239-Q of Chapter 12-A, Supplement to the Code, 1913, and enacting substitutes therefor relating to Arraignments, pleas, and judgments on written pleas of guilty in prosecutions on information filed by the County Attorney.

Also:

Senate File No. 145, a bill for an act to amend the law as it appears in section fifteen hundred sixty-five "A" (1565-A) supplement to the Code, 1913, relating to the cutting of weeds.

Also:

Senate File No. 103, a bill for an act to authorize the paying by the State of Iowa of the public highway along the south side of the property owned by the State in connection with the Hospital for Insane at Cherokee, Iowa, and to make an appropriation therefor.

Also: .

Senate File No. 481, a bill for an act to authorize any minister, priest or rabbi to obtain a permit authorizing the purchase, transportation, use and possession of sacramental wines used by such ministers, priests or rabbis and providing penalties for the violation.

Also:

Senate File No. 167, a bill for an act to amend the law as it appears in section two thousand two hundred thirty-eight (2,238) of the code, giving to the Board of Supervisors authority to provide dental attendance and services for the poor.

Also:

Senate File No. 458, a bill for an act to amend the law as it appears in section eighteen hundred thirty-nine-j (1839-j), supplement to the code, 1913, relating to fraternal beneficiary societies.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 272, a bill for an act to amend the law as it appears in Chapter three hundred ten (310) Acts of the 37th General Assembly, relating to the drawing of grand and petit jurors, fixing the number thereof, and regulating the method and number of challenges, and the method of exercising peremptory challenges, and of selecting the petit jury from the panel.

Also:

Senate File No. 443, a bill for an act to amend the law as it appears in section eight hundred seventy-nine-r (879-r), supplemental supplement to the Code, 1915, affecting Juvenile Playgrounds.

Also:

Senate File No. 345, a bill for an act to amend Section 1400-c and 1400-h of the Supplement to the Code, 1913, relating to fruit tree preservations.

Also:

Senate File No. 326, a bill for an act repealing Sections 5239-N and 5239-O of Chapter 12-A, Supplement to the Code, 1913, and enacting substitutes therefor relating to Arrangements, pleas, and judgments on written pleas of guilty in prosecutions on information filed by the County Attorney.

Also:

Senate File No. 145, a bill for an act to amend the law as it appears in section fifteen hundred sixty-five "A" (1565-A) supplement to the Code, 1913, relating to the cutting of weeds.

Also:

Senate File No. 103, a bill for an act to authorize the paving by the State of Iowa of the public highway along the south side of the property owned by the State in connection with the Hospital for Insane at Cherokee, Iowa, and to make an appropriation therefor.

Also:

Senate File No. 481, a bill for an act to authorize any minister, priest or rabbi to obtain a permit authorizing the purchase, transportation, use and possession of sacramental wines used by such ministers, priests or rabbis and providing penalties for the violation.



Also:

Senate File No. 167, a bill for an act to amend the law as it appears in section two thousand two hundred thirty-eight (2,238) of the code, giving to the Board of Supervisors authority to provide dental attendance and services for the poor.

Also:

Senate File No. 455, a bill for an act to amend the law as it appears in section eighteen hundred thirty-nine j (1839-j), supplement to the code, 1913, relating to fraternal beneficiary societies.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### INTRODUCTION OF BILLS.

By committee on appropriations, Senate File No. 532, a bill for an act making appropriations of funds to enable the state railroad commission to investigate and prosecute interstate cases and to investigate and determine all cases within its jurisdiction.

Read first and second time and ordered placed on calendar.

By committee on appropriations, Senate File No. 533, a bill for an act to amend section sixteen hundred eighty-one (1681), Supplement to the code, 1913, relative to the appropriation for the support of the Weather and Crop Service Bureau.

Read first and second time and ordered placed on calendar.

By committee on appropriations, Senate File No. 534, a bill for an act to amend chapter sixteen-f (16-f) of the title twelve (12) of the Supplement to the Code, 1913, relating to the powers and duties of the state entomologist and authorizing the purchase of equipment by him.

Read first and second time and ordered placed on calendar.

#### REPORT OF COMMITTEE.

Senator Foskett, from the committee on appropriations, submitted the following report:

MR. PRESIDENT—Your committee on appropriations, to whom was referred House Joint Resolution No. 4, approving estimate of costs, plans and specifications for buildings at the State University of Iowa and the Iowa State College of Agriculture and Mechanic Arts, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred House File No. 12, a bill for an act to amend Chapter 290 of the laws of the Thirty-seventh General Assembly relating to vocational education etc., 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:

Amend by striking out the word "thirty" in line four (4) of Section five-a (5-a) and inserting in lieu thereof the word "forty" and by striking out the word "forty" in line five (5) of section five-a (5-a) and inserting in lieu thereof the word "fifty".

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 293, a bill for an act making an appropriation for the State University of Iowa, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers College, the Iowa College for the Blind, and the Iowa School for the Deaf, beg leave to report they have had the same under consideration and recommend the same as amended be reported for passage.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred House File No. 347, a bill for an act making an appropriation for the care and comfort of Iowa's returning soldiers and sailors, 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:

Amend by inserting after the word "cities" in line ten (10) of Section one (1) thereof the words "or Chicago" and by inserting after the word "state" in line eight (8) of Section Two (2) thereof the words "one of whom shall be a resident of New York and one a resident of Chicago".

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred House File No. 528, a bill for an act to amend Section 3260-n, Supplement to Code, 1913, in re expenses of inspecting institutions where insane are kept, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 72, a bill for an act appropriating the sum of \$67.00 in payment of cost of survey of river bed in East Omaha, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations- to whom was referred House File No. 342, a bill for an act to amend Section 2794-g Supplement to the Code, 1913, relating to annual appropriations for state aid to consolidated schools, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations- to whom was referred House File No. 337, a bill for an act to pension survivors of the Frontier Guards of Mitchell's Cavalry, providing the amount of such pension, the method of payment, and making an appropriation therefor, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

H. I. FOSKETT, *Chairman.*

On motion of Senator Foskett, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on appropriations, to whom was referred Senate File No. 421, a bill for an act providing free tuition and matriculation fees in any state institution of learning for honorably discharged soldiers

and sailors in the service of the United States, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

H. I. FOSKETT, *Chairman*.

On motion of Senator Foskett, the report of the committee was adopted and the bill indefinitely postponed.

Also:

Your committee on appropriations, to whom was referred Senate File No. 137, a bill for an act to appropriate money to pay the salaries of certain persons who acts as judges and clerks of elections through the United States in taking the vote of persons in the Military service, and to meet extraordinary expenses of the various commissioners who were appointed to take such vote, etc., 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:

Amend by striking out all after the word "pay" in line three (3) of Section two (2), and before the word "necessary" in line five (5) of Section two (2), and substituting the amount Thirteen Hundred Ninety-eight Dollars (\$1398.00) in lieu of Eighteen Hundred Dollars (\$1800.00) in line three (3) of Section two (2) thereof.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 505, a bill for an act relating to insurance; requiring certain insurance concerns to add insurance bureau ratings, or maintain or cooperate in maintaining and operating insurance rate making bureaus; providing for the organization, operation, etc., beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 291, a bill for an act establishing a medical department of the state library, to provide for the cataloguing and shelving of books thereof, making appropriation therefor, and providing for an assistant librarian and fixing the salary, etc., beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on-file.

## EXPLANATION OF VOTE ON HOUSE FILE NO. 548.

I voted for House File No. 548, known as the Good Roads Bill as a step towards the development of Good Roads in Iowa.

The bill in many particulars does not meet my approval, but as an alternative between passing the bill as finally presented, or getting no legislation on the subject, I voted for the bill.

The provisions of the bill relating to the submission of the question of constructing hard roads to the voters of the various counties were presented by amendment during the discussion of the bill, were not printed and there was naturally no sufficient opportunity to fully understand and digest these provisions of the bill.

In my judgment these provisions are indefinite and unsatisfactory and may give rise to much misunderstanding and cause great expense of frequent elections in the various counties of the state. But under the bill as passed I understand that no county can be required to construct hard roads without its consent.

O. A. BYINGTON.

## SENATE FILES WITHDRAWN.

By unanimous consent, Senator Balkema withdrew Senate File No. 496 from further consideration.

By unanimous consent, Senator Horchem withdrew Senate Files Nos. 361 and 391 from further consideration.

By unanimous consent, Senator Parker withdrew Senate File No. 198 from further consideration.

On motion of Senator Ball, Senate adjourned until 9:00 a. m. Friday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 11, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer offered by Rev. E. G. Williams, pastor of the First Presbyterian church of Colfax.

## HOUSE AMENDMENT CONCURRED IN.

Senator Foster called up Senate File No. 93 amended by the House, and moved that the Senate concur in the following House amendment:

Sec. 5. Provided, however, that nothing contained in this act shall affect pending litigation.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 29.

Adams	Foskett	Rule
Anderson	Poster	Smith
Balkema	Frailey	Stephenson
Ball	Greenell	Stoddard
Brookhart	Hale	Taylor
Buser	Haskell	Thompson
Byington	Kingland	White
Cessna	Nelson	Whitmore
Evans	Rainbow	Wilson
Fellows	Reed	

Nays, none.

Absent or not voting, 21.

Arney	Kimberly	Price
Broxam	LeCompte	Proudfoot
Coburn	Meredith	Ratcliff
Edwards	Mitchell	Schaffter
Holdoegel	Newberry	Scott
Horchem	Parker	Shane
Kimball	Pitt	Van Alstine

The House amendment, having received a constitutional majority, was declared to have been concurred in by the Senate.

Senator Ball called up Senate File No. 240, amended by the House, and moved that the Senate concur in the following House amendments:

Amend Senate File No. 240 by striking out all after the enacting clause and substituting the following in lieu thereof.

SECTION 1. That section twenty-four hundred and sixteen (2416) of the code be and the same is hereby amended by inserting after the word "decided" in line two thereof the following "by any other than the district court" and by striking all of said section beginning with the word "issue" in line three of said section and ending with the word "thereon" in line seven and by inserting in lieu thereof the following:

"forthwith file in the office of the clerk of the district court in the county a certified transcript of such judgment and the officer having said liquor in custody shall forthwith deliver the same to the Sheriff, taking itemized receipts therefor and shall file one of said receipts with the clerk of the district court and the other with the court rendering said judgment. The clerk of the district court shall file the transcript as soon as received and enter a memorandum thereof and the date of filing in the judgment docket and from such entry it shall be treated in all respects and in its enforcement as a judgment in the district court," and by adding at the end of said section the following:

"Whenever a transcript has been filed or a judgment has been entered in the district court decreeing a forfeiture of any intoxicating liquors the court, or a judge thereof in vacation, may direct the disposition of such liquor and the vessels containing the same by ordering the destruction thereof, or by ordering any portion thereof consisting of alcohol, brandies, wine or whiskey delivered for medicinal or scientific purposes to any state or reputable hospital in the county or adjoining counties, and shall order any balance remaining, and the vessels containing the same, turned over to the State Board of Control to be dispensed to any state institution or reputable hospital in the State of Iowa to be used for medicinal or scientific purposes. The state board of control shall issue to the court under whose order the said liquor was delivered to it a receipt stating the kind and quality of liquor delivered to it and shall keep a strict account of all liquors received and dispensed and shall make a full and complete report of all such transactions each year to the governor of the state.

It shall be the duty of the clerk of the district court to call to the attention of the court on the first day of each term all judgments for the forfeiture of intoxicating liquor and for the disposition of which no order has been theretofore made and the court shall thereupon enter an order for the disposition of such liquors. Upon the entry of any order for the disposition of any intoxicating liquors which have been adjudged forfeited, the clerk shall forthwith transmit a certified copy thereof to the sheriff for execution and the sheriff shall immediately take possession of such liquors, and the vessels containing the same, and make disposition thereof in accordance with such order, and make return of his doings to the court.

When any such liquor is ordered delivered or shipped the sheriff shall securely attach to the box or package containing the same a certified copy of the order of the court and thereupon any railway company, express company or other common carrier may receive, transport, and deliver such liquor to the consignee. The cost of packing and transportation shall be paid by the consignee receiving such liquor. The sheriff shall take receipts for any liquor disposed of under the provisions of this section showing in detail the kind and quantity of liquor delivered, the character of the vessels containing the same, the date and manner of delivery and, if delivery is made by common carrier, the name of such carrier. Such receipt shall be attached by the sheriff to and filed with the return of his doings as herein provided for.

Any statute of this state providing for the destruction of intoxicating liquors shall be construed so that the disposition of such liquors under the provisions of this act shall constitute a destruction thereof within the meaning of such statute.

SEC. 2. This act being deemed of immediate importance shall be in force and effect from and after its publication in the Des Moines Register and the Des Moines Capital, newspapers published at Des Moines, Iowa.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 33.

Adams	Foster	Rainbow
Anderson	Frailey	Reed
Balkema	Greeneil	Rule
Ball	Hale	Smith
Brookhart	Haskell	Stephenson
Buser	Kingland	Stoddard
Byington	Meredith	Taylor
Coburn	Nelson	Thompson
Evans	Newberry	White
Fellows	Parker	Whitmore
Foskett	Proudfoot	Wilson

Nays, none.

Absent or not voting, 17.

Arney	Kimball	Rateliff
Broxam	Kimberly	Schaffter
Cessna	LeCompte	Scott
Edwards	Mitchell	Shane
Holdoegel	Pitt	Van Aistine
Horchem	Price	

The House amendments, having received a constitutional majority, were declared to have been concurred in by the Senate.

Senator Frailey called up Senate File No. 190 amended by the



House, and moved that the Senate concur in the following House amendments:

Amend by inserting after the word "dollar" in line five, the words "in cities having a population of more than six thousand (6000) inhabitants", and amend by striking out the word "five" and figure 5 in line five of section one, and inserting in lieu thereof the word and figure "two (2)."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 33.

Anderson	Hale	Rainbow
Balkema	Haskell	Reed
Ball	Kimball	Rule
Buser	Kimberly	Smith
Byington	Kingland	Stephenson
Coburn	Meredith	Stoddard
Fellows	Nelson	Taylor
Foskett	Newberry	Thompson
Foster	Parker	White
Fralley	Price	Whitmore
Greenell	Proudfoot	Wilson

Nays, none.

Absent or not voting, 17.

Adams	Evans	Ratcliff
Arney	Holdoegel	Schaffter
Brookhart	Iorchem	Scott
Broxam	LeCompte	Shane
Cessna	Mitchell	Van Alstine
Edwards	Pitt	

The House amendments, having received a constitutional majority, were declared to have been concurred in by the Senate.

#### LEAVE OF ABSENCE.

On request of Senator Nelson, leave of absence was granted Senator LeCompte for the day.

#### CONCURRENT RESOLUTION CALLED UP.

Senator Whitmore called up the following concurrent resolution.

*Be It Resolved by the House, the Senate concurring,* that there is hereby ordered printed at state expense, in suitable pamphlet form properly indexed by the state document editor, an edition of the new State Housing

law, the same to be distributed through the local boards of health of cities affected, the edition to be in sufficient number to supply the legitimate needs for this purpose.

On motion of Senator Whitmore the Senate concurred in the resolution.

#### SENATE FILE WITHDRAWN.

By unanimous consent, Senator Anderson withdrew Senate File No. 236 from further consideration.

#### THIRD READING OF BILLS.

On motion of Senator Foskett, Senate File No. 522, a bill for an act to amend Section twenty-six hundred twenty-seven-c (2627-c), Supplement to the Code, 1913, for the purpose of extending the duties of the Superintendent of Public Instruction, relating to the furnishing of information relative to regulating teaching and vacancies in teachers' positions, and prescribing the manner of performing the same, a committee bill, was taken up and considered.

Senator Foskett 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 vote was :

Ayes, 35.

Anderson	Frailey	Rule
Balkema	Greenell	Scott
Ball	Haskell	Shane
Brookhart	Holdoegel	Smith
Buser	Kimball	Stephenson
Byington	Kingland	Stoddard
Cassna	Nelson	Taylor
Coburn	Newberry	Thompson
Evans	Parker	White
Fellows	Price	Whitmore
Foskett	Rainbow	Wilson
Foster	Reed	

Nays, none.

Absent or not voting, 15.

Adams	Horchem	Pitt
Arney	Kimberly	Proudfoot
Broxam	LeCompte	Ratcliff
Edwards	Meredith	Schaffter
Hale	Mitchell	Van Alstine

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 Price, Senate File No. 521, a bill for an act to amend the law as it appears in section twenty-five hundred seventy-five-a twenty-nine (2575-a29), supplement to the code, 1913, relative to the qualifications for the practice of nursing, a committee bill, was taken up and considered.

Senator Price 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.

Senator Price invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 19.

Anderson	Fralley	Scott
Balkema	Greenell	Shane
Ball	Kimball	Smith
Brookhart	Mitchell	Stephenson
Broxam	Price	Stoddard
Coburn	Schaffter	White
Edwards		

Nays, 23.

Arney	Holdoegel	Proudfoot
Buser	Horchem	Rainbow
Byington	Kimberly	Reed
Cessna	Kingland	Rule
Evans	Meredith	Thompson
Foster	Nelson	Whitmore
Hale	Newberry	Wilson
Haakell	Parker	

Absent or not voting, 8.

Adams	LeCompte	Taylor
Fellows	Pitt	Van Alstine
Foskett	Ratcliff	

So the bill, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

On motion of Senator Anderson, Senate File No. 523, a bill for an act to amend the law relating to the Iowa State Dairy Association; The Iowa Beef Cattle Producers' Association and the Iowa Corn and Small Grain Growers' Association, as the same appears

in chapter thirteen-a (13-a), Title Twelve (XII), Supplemental Supplement to the Code, 1915, and in chapter one hundred eighty-seven (187), of the Acts of the Thirty-seventh General Assembly, and to make an appropriation for said associations, a committee bill, was taken up and considered.

The bill was read for information.

Senator Anderson moved that the rules be suspended, the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 41.

Adams	Greenell	Proudfoot
Anderson	Hale	Rainbow
Arney	Haskell	Ratcliff
Balkema	Holdoegel	Rule
Ball	Kimball	Scott
Brookhart	Kimberly	Smith
Broxam	Kingland	Stephenson
Buser	Meredith	Stoddard
Byington	Mitchell	Taylor
Cessna	Nelson	Thompson
Edwards	Newberry	White
Evans	Parker	Whitmore
Foster	Pitt	Wilson
Frailey	Price	

Nays, none.

Absent or not voting, 9.

Coburn	Horchem	Schaffter
Fellows	LeCompte	Shane
Foskett	Reed	Van Alstine

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

Senator Thompson asked to be relieved from duty on the committee on investigation of misappropriation of funds of the Iowa exhibit at the Panama exposition.

The president relieved Senator Thompson and appointed in his place, Senator Reed.

## THIRD READING OF BILLS.

On motion of Senator Frailey, Senate File No. 525, a bill for an act to better provide for the care and detention of feeble minded persons, a committee bill, was taken up and considered.

Senator Frailey 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 vote was:

Ayes, 44.

Adams	Foster	Proudfoot
Anderson	Frailey	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Reed
Ball	Holdoegel	Rule
Brookhart	Horchem	Schaffter
Broxam	Kimball	Scott
Buse	Kimberly	Shane
Byington	Meredith	Smith
Cessna	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Newberry	Thompson
Evans	Parker	Whitmore
Fellows	Pitt	Wilson
Foskett	Price	

Nays, none.

Absent or not voting, 6.

Greenell	LeCompte	Van Alstine
Kingland	Taylor	White

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 Reed, House File No. 283, a bill for an act relating to the establishment of a free public library and soldiers' memorial and providing that cities and towns having established a free public library may unite with the board of supervisors for the erection and maintenance of a soldiers' memorial and public library and providing for the appointment of trustees for such memorial and public library, and providing their powers and duties and authorizing the levy of taxes for the erection and maintenance of such memorial and library, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 42.

Adams	Foskett	Proudfoot
Anderson	Frailey	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Reed
Bail	Holdoegel	Rule
Brookhart	Horchem	Schaffter
Broxam	Kingland	Scott
Buser	Meredith	Shane
Byington	Mitchell	Smith
Cessna	Neison	Stephenson
Coburn	Newberry	Stoddard
Edwards	Parker	White
Evans	Pitt	Whitmore
Fellows	Price	Wilson

Nays, none.

Absent or not voting, 8.

Foster	Kimberly	Thompson
Greenell	LeCompte	Van Alstine
Kimball	Taylor	

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 amended and passed the following bill, in which the concurrence of the House was asked:

Senate File No. 476, a bill for an act to authorize the superintendent of banking to deny a certificate of authority for any proposed new bank or trust company to commence business; to provide a board of appeal; and to prohibit any more private banks from commencing business, provided private banks established previous to the date of enactment of said act are not affected, and to provide publication of said act.

#### HOUSE AMENDMENT.

Amend Senate File No. 476 by adding to section one (1) thereof the following:

"Provided, however, that none of the provisions of this section shall be in force or effect after Dec. 31, 1920."

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE AMENDMENT CONCURRED IN.

Senator Foster called up Senate File No. 476, amended by the House, and moved that the Senate concur in the following House amendment:

Amend Senate File No. 476 by adding to section one (1) thereof the following:

Provided, however, that none of the provisions of this section shall be in force or effect after Dec. 31, 1920.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 39.

Adams	Foster	Proudfoot
Anderson	Frailey	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Rule
Ball	Holdoegel	Schaffter
Brookhart	Horchem	Scott
Broxam	Kingland	Shane
Buser	Meredith	Smith
Byington	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Newberry	Van Alstine
Fellows	Parker	Whitmore
Foskett	Price	Wilson

Nays, 1.

Pitt

Absent or not voting, 10.

Cessna	Kimberly	Taylor
Evans	LeCompte	Thompson
Greenell	Reed	White
Kimball		

The House amendment, having received a constitutional majority, was declared to have been concurred in by the Senate.

Senator Foster moved that the vote by which the Senate concurred in House amendment to Senate File No. 476, be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Haskell, Senate File No. 526, a bill for an act to amend Section Twenty-one Hundred Thirteen (2113) of the Supplement to the Code, 1913, relating to the powers and duties of the Board of Railroad Commissioner and granting to such Board of Railroad Commissioners power to fix and regulate the rates of fare and service of street railway companies, a committee bill, was taken up and considered.

Senator Kingland was called to the chair at 10:20 a. m.

Senator Whitmore offered the following amendment and moved its adoption:

Amend Senate File No. 526 by inserting the following in line 17 of section preceding the word "upon".

"Should fifty electors of any city feel aggrieved by the action of the municipality as to rates, such citizens may, upon written petition, in the name of such city, appeal to the Board of Railroad Commissioners."

By unanimous consent on request of Senator Whitmore the word "fifty" was changed to "ten".

The amendment was lost.

Senator Whitmore offered the following amendment and moved its adoption:

Amend by adding the following to Section 1:

The Board of Railroad Commissioners have the right to examine the books, papers and records of the lessee or operator of any such utility, or of any company controlling such utility.

Also by adding the following as Section 2:

SECTION 2. The provisions of this act shall not be effective after July 1, 1922.

A division of the amendment was asked.

The first part of the amendment was adopted.

On the question, "Shall the second part of the amendment be adopted?" the vote was:

Ayes, 14.

Anderson  
Ball  
Brookhart  
Broxam  
Buser

Cessna  
Edwards  
Foster  
Greenell

Horchem  
Meredith  
Ratcliff  
Taylor  
Whitmore



Nays, 30.

Adams	Holdoegel	Reed
Arney	Kimball	Rule
Byington	Kingland	Schaffter
Coburn	Mitchell	Scott
Evans	Nelson	Shane
Fellows	Newberry	Smith
Foskett	Parker	Stephenson
Fratley	Pitt	Stoddard
Hale	Proudfoot	Van Alstine
Haskell	Rainbow	Wilson

Absent or not voting, 6.

Balkema	LeCompte	Thompson
Kimberly	Price	White

The amendment was lost.

Senator Rule moved the previous question.

Senator Wilson raised the point of order that the motion was not debatable.

The point was held to be well taken.

President Moore resumed the chair at 11:10 a. m.

The motion for the previous question was lost.

Senator Taylor offered the following amendment and moved its adoption:

Amend by adding the following:

SEC. 3. Nothing herein contained shall affect pending litigation or existing franchise contracts.

The amendment was lost.

Senator Kimball offered the following amendment and moved its adoption:

Amend by adding thereto as section 2 the following:

SEC. 2. The Senate and the House of Representatives of the proper general assembly on or before the 31st day of March shall each elect a member of the board of railroad commissioners whose term shall expire four years or more after the 31st day of December of the year in which they are elected. Neither house shall twice in succession make said election to said board from the same political party.

On or before the first day of July, 1920, and every four years thereafter the governor shall appoint a member of said board of railroad commissioners whose term shall expire on or after December 31st four years after the year of election or appointment. The term of said members of said board herein provided to be elected and appointed shall begin on the expiration of the terms of the members whose respective terms of office expire in the year of the election or appointment. The said election shall be by the majority vote of the Senate and House of Representatives respectively. The terms of office of all members, except as herein provided, shall be for a period of four years. The governor of the state shall fill all vacancies occurring in the membership appointed by the general assembly during the time the general assembly is not in session, said appointees to serve until such vacancies shall be filled by election by a majority vote of all members of the Senate or House of Representatives by which the original incumbent of said office was so elected, and the governor of the state shall also fill all vacancies occurring in the membership appointed by him.

Each member shall hold office until his successor has been duly appointed and qualified. No person in the employ of any railroad or street or interurban railway company or owning bonds, stocks or property in any railroad, street or other railway company, or who is in any manner pecuniarily interested in any railroad, street or other railway company shall be eligible to the office of railroad commissioner, and the entering into the employ of any railroad, street or other railway, or the acquiring of any stock or other interest in any railroad, street or other railway by any member of the board of railroad commissioners after his appointment shall at once disqualify him to hold the office and perform the duties thereof. All laws providing for the nomination of railroad commissioners in any other manner than as herein provided are repealed in so far as they are in conflict with this act.

Senator Wilson raised the point of order that the matter contained in the proposed amendment was not germane to the matter contained in the bill; and also the subject matter in the proposed amendment was contained in another bill formerly rejected by the Senate.

The president, ruling on the first point of order raised, held that the point of order was well taken.

Senator Haskell 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.

Senator Buser invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

## Ayes, 30.

Adams	Hale	Rule
Anderson	Haskell	Schaffter
Balkema	Holdoegel	Scott
Byington	Kingland	Shane
Coburn	Mitchell	Stephenson
Evans	Newberry	Stoddard
Fellows	Parker	Van Alstine
Foskett	Pitt	White
Foster	Proudfoot	Whitmore
Greenell	Reed	Wilson

## Nays, 14.

Arney	Edwards	Rainbow
Ball	Horchem	Ratcliff
Brookhart	Kimball	Smith
Broxam	Meredith	Taylor
Buser	Nelson	

## Absent or not voting, 6.

Cessna	Kimberly	Price
Frailey	LeCompte	Thompson

Senator Frailey invoked his constitutional prerogative of not voting on the bill.

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

Senator Holdoegel moved that the vote by which Senate File No. 526 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Kimball, House File No. 68, a bill for an act providing for the examination and certification of shorthand reporters of the district, superior and municipal courts, and creating a board of examiners therefor, the report of committee recommending indefinite postponement having been rejected, was taken up and considered.

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

On the question, "Shall the bill pass?" the vote was:

## Ayes, 29.

Adams	Foster	Proudfoot
Anderson	Hale	Ratcliff
Arney	Haskell	Reed
Balkema	Holdoegel	Scott
Broxam	Horchem	Shane
Byington	Kimball	Stoddard
Coburn	Kingland	Van Alstine
Edwards	Mitchell	Whitmore
Evans	Newberry	Wilson
Foskett	Parker	

## Nays, 12.

Ball	Pitt	Smith
Buser	Price	Stephenson
Fellows	Rainbow	Taylor
Nelson	Rule	White

## Absent or not voting, 9.

Brookhart	Greenell	Meredith
Cessna	Kimberly	Schaffter
Fralley	LeCompte	Thompson

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

Senator Wilson moved to reconsider the vote by which House File No. 68 passed the Senate and that the motion to reconsider be laid on the table.

The motion prevailed.

## CORRECTION OF JOURNAL.

The journal of April 10th, was corrected and approved.

## BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate in the presence of the Senate, he had signed House Files Nos. 206, 307, 343, 452 and 533; also Senate Files Nos. 167, 458, 103, 481, 326, 145, 443, 272 and 345.

## COMMUNICATION RECEIVED.

*To the Honorable Members of the General Assembly of the State of Iowa:*

Division No. 779 of Sioux City, Iowa, of the Amalgamated Associated Street and Electric Railway Employees of America are heartily in favor of the bill, Senate File No. 526, which is now pending before your Hon-

orable Body, to amend Section 2113 of the Supplement to the Code of 1913 relating to the powers and duties of the Board of Railroad Commissioners, and granting to such Board of Railroad Commissioners the power to fix and regulate the rate of fare and service of street railway companies, and further state to your Honorable Body that we believe that it would be for the best interests of the people of the State of Iowa that such bill be enacted as a law.

Dated at Sioux City, Iowa, this first day of April, 1919.

AMALGAMATED ASSOCIATED STREET  
AND ELECTRIC RAILWAY EMPLOYEES  
OF AMERICA,

By Harmon T. Woodward, Pres.,  
S. S. Stewart,  
H. T. Graves,  
F. J. Dvorack,

*Executive Committee.*

On motion of Senator Rule Senate adjourned until 1:00 p. m. today.

AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

SENATE CONCURRENT RESOLUTION.

Senator Rule offered the following resolution:

*Be It Resolved by the Senate of the State of Iowa, the House concurring:*

There is hereby appropriated from the fund appropriated by the 37th General Assembly of the State of Iowa for war emergency the sum of three hundred dollars, or so much thereof as may be necessary for the purpose of decorating the west side of the Iowa State Capitol Building for the reception for the 168th Infantry.

This money shall be paid by the State Treasurer on warrants drawn by the State Auditor upon claim made by the Adjutant General of the State of Iowa.

By unanimous consent, the resolution was taken up, considered and adopted.

The roll was called to ascertain if a quorum were present, and showed as follows:

Present, 30.

Anderson	Greenell	Rainbow
Arney	Hale	Ratcliff
Balkema	Horchem	Reed
Ball	Kingland	Rule
Brookhart	Meredith	Scott
Broxam	Mitchell	Smith
Buser	Newberry	Stephenson
Edwards	Pitt	Taylor
Evans	Price	Whitmore
Foskett	Proudfoot	Wilson

Absent, 20.

Adams	Haskell	Schaffter
Byington	Holdoegel	Shane
Cessna	Kimball	Stoddard
Coburn	Kimberly	Thompson
Fellows	LeCompte	Van Alstine
Foster	Nelson	White
Fralley	Parker	

The president declared a quorum present.

#### INTRODUCTION OF BILLS.

By committee on appropriations, Senate File No. 535, a bill for an act to amend section fourteen hundred-t1 (1400-t1) of the supplement to the code, 1913, relating to boundaries of capitol extension.

Read first and second time and ordered on the calendar.

#### THIRD READING OF BILLS.

On motion of Senator Smith, Senate File No. 530, a bill for an act to amend the law as it appears in Senate File two hundred and ninety-six (296), as enacted by the thirty-eighth (38) general assembly and approved April 5th, 1919, relating to the consolidated school districts, and to legalize the formation and organization of certain consolidated independent school districts, a committee bill, was taken up and considered.

Senator Smith 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 vote was :

## Ayes, 35.

Adams	Frailey	Ratcliff
Arney	Greenell	Reed
Balkema	Hale	Rule
Ball	Horchem	Scott
Brookhart	Kingland	Shane
Broxam	Mitchell	Smith
Buser	Nelson	Stephenson
Edwards	Newberry	Taylor
Evans	Pitt	Whitmore
Fellows	Price	Wilson
Foskett	Proudfoot	Meredith
Foster	Rainbow	

Nays, none.

Absent or not voting, 15.

Anderson	Holdoegel	Schaffter
Byington	Kimball	Stoddard
Cessna	Kimberly	Thompson
Coburn	LeCompte	Van Alstine
Haskell	Parker	White

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 Ball, Senate File No. 520, a bill for an act to amend Section One Hundred Seventy (170) of the Code relating to the powers of the Executive Council in issuing warrants on the contingent fund, a committee bill, was taken up and considered.

Senator Ball 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 vote was:

## Ayes, 34.

Adams	Foskett	Proudfoot
Anderson	Frailey	Rainbow
Arney	Greenell	Ratcliff
Balkema	Hale	Reed
Ball	Horchem	Rule
Brookhart	Kingland	Scott
Broxam	Meredith	Shane
Buser	Mitchell	Smith
Coburn	Nelson	Stephenson
Edwards	Newberry	Whitmore
Evans	Price	Wilson
Fellows		

Nays, none.

Absent or not voting, 16.

Byington	Kimberly	Stoddard
Cessna	LeCompte	Taylor
Foster	Parker	Thompson
Haskell	Pitt	Van Alstine
Holdoegel	Schaffter	White
Kimball		

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 Rule, House File No. 534, a bill for an act to amend Section twenty-three hundred forty-one-q (2341-q), Supplemental Supplement to the Code, 1915, referring to false pedigrees of stock, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Adams	Greenell	Ratcliff
Anderson	Hale	Reed
Arney	Haskell	Rule
Balkema	Holdoegel	Scott
Ball	Horchem	Shane
Brookhart	Mitchell	Stephenson
Broxam	Newberry	Stoddard
Coburn	Parker	Taylor
Edwards	Pitt	Van Alstine
Evans	Price	White
Fellows	Proudfoot	Whitmore
Foskett	Rainbow	Wilson
Frailey		

Nays, 2.

Kingland	Nelson
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Absent or not voting, 11.

Buser	Kimball	Schaffter
Byington	Kimberly	Smith
Cessna	LeCompte	Thompson
Foster	Meredith	



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 Brookhart, Senate File No. 507, a bill for an act to repeal section four thousand two hundred sixty-one (4261) of the code, and enact in lieu thereof relating to attorneys' fees to be taxed as costs in partition of real estate, a committee bill, was taken up and considered.

Senator Brookhart 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 vote was:

Ayes, 26.

Adams	Holdoegel	Rule
Anderson	Horchem	Scott
Arney	Newberry	Shane
Brookhart	Parker	Stephenson
Edwards	Price	Stoddard
Evans	Proudfoot	Van Alstine
Foster	Rainbow	Whitmore
Fralley	Ratcliff	Wilson
Greenell	Reed	

Nays, 11.

Balkema	Fellows	Mitchell
Ball	Hale	Nelson
Buser	Haskell	White
Coburn	Meredith	

Absent or not voting, 13.

Broxam	Kimberly	Schaffter
Byington	Kingland	Smith
Cessna	LeCompte	Taylor
Foskett	Pitt	Thompson
Kimball		

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

Senator Brookhart offered the following amendment to the title and moved its adoption:

Insert in line 2 following the word "enact" the words "a substitute".

The amendment was adopted and the title as amended was agreed to.

Senator Wilson moved that the vote by which Senate File No. 507 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

**The motion prevailed.**

On motion of Senator Horchem, House File No. 433, a bill for an act to amend the law as it appears in sections four hundred nine-c (409-c), four hundred nine-d (409-d), four hundred nine-q (409-q), four hundred nine-s (409-s), Supplement to the Code 1913, and to add to said chapter and title as additional sections four hundred nine-u (409-u), relating to the care of tuberculosis, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

**The following committee amendments were adopted:**

Amend Section One (1) by inserting after the word "hospital" in line three (3) of the printed bill, the words "in the third line thereof".

Also by striking out the word "suffering" in line eight (8) in Section three (3) and inserting in lieu thereof the word "afflicted".

Also by striking out the word "suffering" in line eleven (11) and inserting the word "afflicted" in lieu thereof.

Also by striking out all of line eleven (11) after the word "infection", all of line twelve (12), thirteen (13), and fourteen (14) of section four (4), up to and including the word "for", and inserting in lieu thereof the following: "Then such person may be tried as provided in Section 2310-A2, Title 12, Chapter 2-A of the Supplement to the Code, 1913, and upon conviction may, by the district court, be committed to the state sanatorium, subject to the laws of admission at said institution, or any county sanatorium or other institution where tuberculosis is cared for."

Also by striking out all of section four (4) after the word "institution" in line twenty-two (22) and inserting in lieu thereof the following: "then upon complaint of the superintendent of any institution herein designated, such person may by order of the district court be segregated and forcibly detained in a ward or room, for such purpose, and for such period of time as may be deemed advisable by the court to the end that such person may be properly treated, that the population of such institution may be protected and the decorum maintained."

Also by striking out all of Section five (5) after the word "appellation" in line seven (7).

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Adams	Foster	Rainbow
Anderson	Frailey	Ratcliff
Balkema	Greenell	Reed
Ball	Hale	Rule
Brookhart	Haskell	Scott
Broxam	Holdoegel	Shane
Byington	Horchem	Stephenson
Cessna	Kingland	Stoddard
Coburn	Meredith	Van Alstine
Edwards	Nelson	White
Evans	Newberry	Whitmore
Fellows	Parker	Wilson
Foskett	Price	

Nays, none.

Absent or not voting, 12.

Arney	LeCompte	Schaffter
Buser	Mitchell	Smith
Kimball	Pitt	Taylor
Kimberly	Proudfoot	Thompson

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

#### MOTION TO RECONSIDER WITHDRAWN.

By unanimous consent, Senator Anderson withdrew his motion filed to reconsider Senate File No. 85.

#### MOTION TO RECONSIDER CALLED UP.

Senator Kingland called up the motion filed to reconsider the vote by which the report of the committee was adopted indefinitely postponing House File No. 510.

The motion to reconsider prevailed.

#### THIRD READING OF BILLS.

On motion of Senator Taylor, House File No. 536, a bill for an act to amend the law as it appears in section four hundred nine-t-3 (409-t-3) Supplemental Supplement to the Code, 1915, relating to care of persons afflicted with tuberculosis, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking the word "shall" from line six of Section one following the word "supervisors" and inserting the word "may" in lieu thereof.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 39.

Adams	Foskett	Rainbow
Anderson	Haskell	Ratcliff
Arney	Hale	Reed
Balkema	Foster	Rule
Ball	Holdoegel	Schaffter
Broxam	Horchem	Scott
Brookhart	Kimball	Shane
Buser	Kingland	Stephenson
Byington	Meredith	Taylor
Coburn	Mitchell	Van Alstine
Edwards	Newberry	White
Evans	Parker	Whitmore
Fellows	Price	Wilson

Nays, 1.

Nelson

Absent or not voting, 10.

Cessna	LeCompte	Smith
Frailey	Pitt	Stoddard
Greenell	Proudfoot	Thompson
Kimberly		

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

#### HOUSE FILE NO. 407 TABLED.

Senator Ball moved that House File No. 407 be laid on the table.

The motion prevailed.

#### SENATE FILE WITHDRAWN.

By unanimous consent, Senator Foster withdrew Senate File No. 260 from further consideration.

On motion of Senator Schaffter, Senate File No. 529, a bill for an act to repeal section three thousand four hundred and fifteen (3415) of the code, and enacting a law in lieu thereof relating to compensation of executors, administrators and attorneys in the settlement of estates, a committee bill, was taken up and considered.

Senator Schaffter 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 vote was:

Ayes, 27.

Anderson	Fralley	Reed
Arney	Haskell	Rule
Balkema	Mitchell	Schaffter
Ball	Newberry	Scott
Brookhart	Parker	Shane
Byington	Price	Taylor
Edwards	Proudfoot	Van Alstine
Evans	Rainbow	Whitmore
Foster	Ratcliff	Wilson

Nays, 12.

Broxam	Fellows	Meredith
Buser	Foskett	Nelson
Cessna	Hale	Stephenson
Coburn	Kingland	White

Absent or not voting, 11.

Adams	Kimball	Smith
Greenell	Kimberly	Stoddard
Holdoegel	LeCompte	Thompson
Horchem	Pitt	

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

Senator Wilson moved that the vote by which Senate File No. 529 passed the Senate be reconsidered and that the motion to reconsider be laid on the **table**.

The motion prevailed.

On motion of Senator Kingland, House File No. 510, a bill for an act to provide for establishing a warning card to be placed

on any house, dwelling or place, regarding a communicable disease, where the attending physician is in doubt as to the proper diagnosis, or the householder or person having a communicable disease is in doubt as regards the diagnosis when no physician has been in attendance, the committee report recommending indefinite postponement having been reconsidered, was taken up and considered.

Senator Kingland offered the following amendment and moved its adoption:

Amend by striking out in lines 19 and 20 of the printed bill the following: the words "COMMUNICABLE DISEASE HERE KEEP OUT", and by inserting in lieu thereof the following: "TEMPORARY QUARANTINE. KEEP OUT", and by striking out in line 29 of the printed bill the figures and words "12 inches" and also by striking out in lines 31 to 33 inclusive of the printed bill the words "COMMUNICABLE DISEASE HERE" and by inserting in lieu thereof the following: "TEMPORARY QUARANTINE."

The amendment was adopted.

By unanimous consent the word "the" was inserted before the word "word" in the amendment.

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

Senator Price moved to reconsider the vote by which the bill went to its third reading.

The motion prevailed.

Further consideration was deferred.

#### EXPLANATION.

Owing to illness, I was unable to be present at the session of the Senate on April 10th when House File No. 548 "The Highway Bill" was acted upon. Had I been present I would have voted for the passage of the bill as amended.

BYRON W. NEWBERRY.

## CALLS OF THE SENATE.

We, the undersigned members of the Senate, request a call of the Senate on the consideration of House File 550 and the proposed substitutes appearing at page 1849 of the Senate journal.

CHESTER W. WHITMORE,  
G. F. COBURN,  
J. D. BUSER,  
GEO. W. BALL,  
T. C. TAYLOR,  
A. V. PROUDFOOT,  
J. A. STEPHENSON,  
A. L. RULE,  
W. J. GREENELL,  
N. BALKEMA,  
B. W. NEWBERRY,  
J. A. NELSON,  
A. M. FELLOWS,  
JNO. W. FOSTER,  
J. M. WILSON,  
W. G. HASKELL,  
O. A. BYINGTON,  
T. A. KINGLAND,  
E. M. SMITH.

## CALL OF SENATE FILED.

We, the undersigned members of the Senate, request a call of the Senate, on the consideration of House File 550 and amendments thereto and reports of sub-committee thereon and reports of the membership thereof.

E. M. SMITH,  
A. L. BROXAM,  
JNO. R. PRICE,  
J. L. BROOKHART,  
C. W. REED,  
B. W. NEWBERRY,  
J. A. STEPHENSON,  
M. B. PITT,  
B. J. HORCHEM,  
A. V. PROUDFOOT,  
BEN EDWARDS,  
W. T. EVANS,  
J. K. HALE,  
E. E. MITCHELL,  
W. J. GREENELL,  
A. L. RULE,  
T. A. KINGLAND.

The roll call showed as follows:

Present, 47.

Adams	Greenell	Ratcliff
Anderson	Hale	Reed
Arney	Haskell	Rule
Balkema	Holdoegel	Schaffter
Ball	Horchem	Scott
Brookhart	Kimball	Shane
Broxam	Kingland	Smith
Buser	Meredith	Stephenson
Byington	Mitchell	Stoddard
Cessna	Nelson	Taylor
Coburn	Newberry	Van Alstine
Edwards	Parker	White
Evans	Pitt	Whitmore
Fellows	Price	Wilson
Foskett	Proudfoot	
Foster	Rainbow	
Frailey		

Absent, 3.

Kimberly	LeCompte	Thompson
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The sergeant-at-arms was directed to secure the attendance of absentees.

By unanimous consent, on request of Senator Whitmore permission was given for consideration of other business while waiting for the arrival of absentees.

#### HOUSE AMENDMENT CONCURRED IN.

Senator Frailey called up Senate File No. 497, amended by the House, and moved that the Senate concur in the following House amendments:

- Amend Senate File No. 497 by striking out all of said bill following the period (.) in the fifteenth (15th) line thereof, and by substituting therefor, the following:

"The commissioner may proceed to hear and determine such petition without notice, or, if he deems it necessary that such notice should be given in order to conserve the interests of the membership, he shall require the society to first notify, by mail, all of the members of such society of the pendency of such petition, the contents of such notice to be determined by the commissioner. When notice shall have been given, as above provided, any member of said society shall have the right to appear before said commissioner and be heard with reference to said petition. The commissioner may also make such examination into the affairs and conditions of the society as he deems proper, and shall have power to summon and compel the attendance and testimony of witnesses, and the production of books and papers, and may administer oaths. If satisfied that the interests of the membership of said society are properly protected



and that no reasonable objection to said petition exists, the commissioner may authorize in writing, such transformation, or may first require such modification thereof as may seem to him necessary for the best interests of such membership; and the said commissioner shall make such order and disposition of the assets of any such society as in his judgment may be just and equitable.

"Sec. 2. The commissioner shall require the plan of transformation to be submitted to the supreme governing body of such society, to be voted upon. When submitted, it shall be either at a regular meeting of said supreme governing body or at a special meeting of same called for that purpose. A notice of said special meeting, in the form approved by the Insurance Commissioner, shall be given in accordance with the requirement of the by-laws of such society. When so submitted, a majority vote of the said supreme governing body present and voting, as authorized by its articles of incorporation and by-laws, shall be necessary to an approval of such plan of transformation; and no proxies shall in any case be voted. Any such plan of transformation submitted to the supreme governing body as herein contemplated, must first have been approved by the commissioner of insurance; and the result of said vote must be filed with such commissioner and be by him determined before any transformation shall be so effective. No such transformation shall take place until after its plan has been approved by the commissioner, either with or without a hearing as herein provided, nor until such approved plan has been adopted by a majority vote of the board of directors or board of trustees of such society; nor, if submitted to the supreme governing body, until such approved plan has also been adopted by a majority vote of the said supreme governing body present and voting.

"Sec. 3. Any such society so transformed, shall incur the obligations and enjoy the benefits thereof the same as though originally thus incorporated, and such corporation, under its charter as thus amended, shall be a continuation of such original corporation, and the officers thereof shall serve through their respective terms as provided in the original charter, but their successors shall be elected and serve as in such amended articles provided; but such amendment or re-incorporation shall not affect existing suits, claim or contracts. Any such fraternal beneficiary society taking advantage of this section, to re-organize into a stock company shall offer to each member of said society the privilege of subscribing for and purchasing his or her proportionate amount of capital stock.

"Sec. 4. The existing certificates of membership of any fraternal beneficiary society which shall have transformed itself into a legal reserve level premium life insurance company, in conformity with the provisions of this section shall be valued as follow:

(a) Certificates on which rates of contribution are not on the basis of any table of mortality, valued as yearly renewable term policies according to the standard of valuation of life insurance policies prescribed by the laws of this state.

(b) Certificates on which the rates of contribution are based upon a

standard table of mortality specified rate of interest, valued in accordance with such standard.

The reserve so ascertained shall be held as a liability by the company in its annual statement rendered to the insurance department."

"SEC. 5. This act being deemed of immediate importance shall take effect and be in full force from and after its passage and publication, according to law, in the Des Moines Capital, a newspaper published in the city of Des Moines, Iowa, and the Cedar Rapids Evening Gazette, a newspaper published in the city of Cedar Rapids, Iowa.

Senator Proudfoot offered the following amendment to the House amendment and moved its adoption:

Amend the House amendment to Senate File No. 497 by adding after the word "voted" in line 14 of section 2 the following:

If the supreme governing body approves the plan of transformation the officers of the Society must within thirty days submit the plan to a referendum vote of the local lodges or camps of such Society. Such referendum vote to be taken in each camp or lodge at the time of the first regular meeting following call for that purpose. Each camp or lodge being entitled to one vote for each beneficial member thereof, present and voting. The officers of the local lodge or camp shall certify to the Supreme governing body the number of votes cast for and against the proposition for transformation. If the majority of the votes are in favor thereof, the matter may be then submitted to the Insurance Commissioner for his final action. If the majority of the votes so cast are against such proposition no further steps shall be taken.

The amendment to the amendment was adopted.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 41.

Adams	Foster	Proudfoot
Anderson	Fralley	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Reed
Ball	Hoidoegel	Rule
Brookhart	Horchem	Scott
Broxam	Kimball	Shane
Buser	Kimberly	Stephenson
Byington	Meredith	Stoddard
Cessna	Mitchell	Thompson
Edwards	Newberry	Van Alstine
Evans	Parker	White
Fellows	Pitt	Whitmore
Foskett	Price	

Nays, none.

Absent or not voting, 9.

Coburn  
Grennell  
Kingland

LeCompte  
Nelson  
Schaffter

Smith  
Taylor  
Wilson

The House amendments having received a constitutional majority, were declared to have been concurred in as amended.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 277, a bill for an act to establish a state psychopathic hospital especially designed, equipped and administered for the care, observation and treatment of persons who are afflicted with abnormal mental conditions, and providing for method of hearing complaint as to persons so afflicted and commitment following such hearing, and making appropriation for the establishment of such hospital.

Also:

Senate File No. 430, a bill for an act to amend the law as it appears in section twenty-five hundred thirty-eight-r (2538-r) supplement to the Code, 1913, relating to commission of animal health.

Also:

Senate File No. 476, a bill for an act to authorize the Superintendent of Banking to deny a certificate of authority for any proposed new bank or trust company to commence business; to provide a Board of Appeal; and to prohibit any more private banks from commencing business, provided private banks established previous to the date of enactment of said Act are not affected, and to provide publication of said Act.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 277, a bill for an act to establish a state psychopathic hospital especially designed, equipped and administered for the care, observation and treatment of persons who are afflicted with abnormal mental conditions, and

providing for method of hearing complaint as to persons so afflicted and commitment following such hearing, and making appropriation for the establishment of such hospital.

Also:

Senate File No. 430, a bill for an act to amend the law as it appears in section twenty-five hundred thirty-eight-r (2538-r) supplement to the Code, 1913, relating to commission of animal health.

Also:

Senate File No. 476, a bill for an act to authorize the Superintendent of Banking to deny a certificate of authority for any proposed new bank or trust company to commence business; to provide a Board of Appeal; and to prohibit any more private banks from commencing business, provided private banks established previous to the date of enactment of said Act are not affected, and to provide publication of said Act.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*  
WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 11th day of April, 1919, sent to the governor for his approval, Senate File No. 272, a bill for an act to amend the law as it appears in Chapter three hundred ten (310) Acts of the 37th General Assembly, relating to the drawing of grand and petit jurors, fixing the number thereof, and regulating the method and number of challenges, and the method of exercising peremptory challenges, and of selecting the petit jury from the panel.

Also:

Senate File No. 443, a bill for an act to amend the law as it appears in section eight hundred seventy-nine-r (879-r), supplemental supplement to the Code, 1915, affecting Juvenile Playgrounds.

Also:

Senate File No. 345, a bill for an act to amend Section 1400-c and 1400-n of the Supplement to the Code, 1913, relating to fruit tree reservations.

Also:

Senate File No. 326, a bill for an act repealing Sections 5239-N and 5239-O of Chapter 12-A, Supplement to the Code, 1913, and enacting substitutes therefor relating to Arraignments, pleas, and judgments on written pleas of guilty in prosecutions on information filed by the County Attorney.

Also:

Senate File No. 145, a bill for an act to amend the law as it appears in section fifteen hundred sixty-five "A" (1565-A) supplement to the Code, 1913, relating to the cutting of weeds.

Also:

Senate File No. 103, a bill for an act to authorize the paving by the State of Iowa of the public highway along the south side of the property owned by the State in connection with the Hospital for Insane at Cherokee, Iowa, and to make an appropriation therefor.

Also:

Senate File No. 481, a bill for an act to authorize any minister, priest or rabbi to obtain a permit authorizing the purchase, transportation, use and possession of sacramental wines used by such ministers, priests or rabbis and providing penalties for the violation.

Also:

Senate File No. 167, a bill for an act to amend the law as it appears in section two thousand two hundred thirty-eight (2,238) of the code, giving to the Board of Supervisors authority to provide dental attendance and services for the poor.

Also:

Senate File No. 458, a bill for an act to amend the law as it appears in section eighteen hundred thirty-nine J (1839-J), supplement to the code, 1913, relating to fraternal beneficiary societies.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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 the following bills:

House File No. 206, a bill for an act to amend section twenty-six hundred thirty-four-b eight (2634-b8), supplement to the code, 1913, relating to the appropriation for aid to normal training high schools.

Also:

House File No. 307, a bill for an act relating to the release of liens on personal property, and providing the manner of making such releases and the jurisdiction in actions on the bond given to secure such release.

Also:

House File No. 343, a bill for an act to repeal section three hundred eight (308) of the supplemental supplement to the code, 1915, relating to compensation and duties of county attorneys, and for enacting a substitute therefor.

Also:

House File No. 452, a bill for an act to repeal section eight hundred fourteen (814) of the supplement to the code of 1913, and enacting a substitute therefor.

Also:

House File No. 533, a bill for an act making an appropriation for the farmers' institute of Franklin County, Iowa, under the provisions of section sixteen hundred seventy-five (1675), supplement to the code, 1913.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

President pro tem Arney was called to the chair at 2:40.

#### MOTION TO RECONSIDER FILED.

I move to reconsider the vote by which House File No. 547 passed the Senate and the vote by which it passed to its third reading.

W. H. ARNEY.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate concurrent resolution relative to appropriation of three hundred dollars for the purpose of decorating the Capitol building for the reception of the 168th Infantry.

W. C. RAMSAY, *Chief Clerk.*

## AMENDMENTS FILED.

I move to amend House File No. 510 by Newton, by striking out the period following the word "warning" in line 14 of section one (1) and inserting in lieu thereof a "comma" and adding thereto the following:

"Provided however that such temporary quarantine shall terminate within twenty-four hours after being in force".

J. R. PRICE.

Senators Thompson and Kimberly appeared in the Senate Chamber thus making the attendance complete under the call, Senator LeCompte having previously been excused for the day.

## THIRD READING OF BILLS.

On motion of Senator Scott, House File No. 550, a bill for an act to repeal chapter two-b (2-b) of title VIII of the supplement to the code, 1913, relating to the licensing and regulation of motor vehicles and to enact a substitute therefor, was taken up and considered.

Senator Scott moved that the sub-committee report found on page 1819 of the journal of April 10th be adopted.

The motion prevailed.

Senator Brookhart offered the following amendment and moved its adoption:

Amend House File No. 550 by striking out all after the enacting clause and substituting in lieu thereof the amendment filed by Senators Evans and Brookhart and published on pages 1850 to 1876 of the Senate journal of April 10th.

Senator Buser offered the following amendment to the pending amendment and moved its adoption:

Amend the amendment to House File No. 550 by striking out the period at the end of section 26 and adding thereto the following: "and such portion of said moneys as shall be necessary to meet by an equal amount all Federal aid road building appropriation acts as applicable to the State of Iowa in any one year apportioned to each county in the ratio that each county should bear as in this section provided, shall be subject to the call of the state treasurer from the county treasurer such call not to be made by the state treasurer upon the county treasurers until such time as will be necessary to make available all Federal road appropriation acts to the state of Iowa."

Senator Whitmore raised the point of order that the amendment by Senator Buser was out of order, as House File No. 550 was under consideration and no amendment had yet been brought before the Senate.

The point of order was held to be not well taken.

Senator Whitmore raised the point of order that the amendment proposed by Senator Brookhart was not before the Senate for amendment.

The point of order was held not to be well taken.

Senator Smith moved the previous question on the amendment offered by Senator Buser, which motion prevailed and the previous question was ordered.

Senator Buser asked for a roll call.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 14.

Ball	Greenell	Nelson
Brookhart	Kimball	Pitt
Buser	Kingland	Rainbow
Cesena	Meredith	Ratcliff
Evans	Mitchell	

Nays, 32.

Adams	Hale	Scott
Anderson	Haskell	Shane
Arney	Holdoegel	Smith
Balkema	Horchem	Stephenson
Broxam	Kimberly	Stoddard
Byington	Newberry	Taylor
Coburn	Parker	Van Alstine
Fellows	Proudfoot	White
Foskett	Reed	Whitmore
Foster	Rule	Wilson
Frailey	Schaffter	



Absent or not voting, 4.

Edwards  
Price

LeCompte

Thompson

The amendment was lost.

President Moore resumed the chair at 4:40.

Senator Frailey moved that the call of the Senate be raised.

The motion prevailed.

On motion of Senator Frailey, Senate adjourned until 9 a. m.,  
Saturday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 12, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. Charles Elmer Chapler, associate pastor of the First Methodist Episcopal Church of Des Moines.

The roll was called to ascertain if a quorum were present, and showed as follows:

## Present, 40.

Anderson	Haskell	Reed
Arney	Holdoegel	Rule
Balkema	Horchem	Schaffter
Ball	Kimball	Scott
Brookhart	Kimberly	Smith
Buser	Meredith	Stephenson
Byington	Mitchell	Stoddard
Cessna	Nelson	Taylor
Coburn	Newberry	Thompson
Evans	Parker	Van Alstine
Fellows	Pitt	White
Foskett	Rainbow	Whitmore
Frailey	Ratcliff	Wilson
Greenell		

## Absent, 10.

Adams	Hale	Price
Broxton	Kingland	Proudfoot
Edwards	LeCompte	Shane
Foster		

The president declared a quorum present.

## 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. 278, a bill for an act to amend the law as it appears in

chapter three hundred sixty-three (363), acts of the thirty-seventh (37th) general assembly, relating to aid for poultry associations.

#### HOUSE AMENDMENT.

I move to amend Senate File No. 278 by striking out the comma (,) in Section one (1) in line nine (9) after the figures "1918" and by adding the word and figures "and 1919".

Also amend Senate File No. 278 by striking out the comma (,) in Section two (2), line ten (10) after the figures "1918" and by adding the word and figures "and 1919".

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 559, a bill for an act to repeal Section Eighteen Hundred and Five (1805) Code, 1897, and to enact a substitute therefor and to amend Section Thirty-three Hundred thirteen (3313) of the Code, 1897, relating to the exemption of life, health and accident insurance policies and the proceeds of life, health and accident insurance policies from execution and taxation.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 24, a bill for an act to amend section two hundred and fifty-four-a-two (254-a-2) Supplemental Supplement to the Code, 1915, relating to the compensation of shorthand reporters of the district courts.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 317, a bill for an act authorizing the state of Iowa to improve a short stretch of highway, approximately a half mile long, extending through state property along the west shore of Spirit Lake, and appropriating the sum of twelve thousand (\$12,000) dollars, or so much thereof as may be necessary for the making of such improvements.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 494, a bill for an act making an appropriation for the Iowa School for the Deaf.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 563, a bill for an act authorizing the board of control to close certain institutions under its management.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relating to the term of the state document editor, amending section one hundred forty-four-e (144-e) supplemental supplement to the code, 1915.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 202, a bill for an act to amend section 1527-S4, supplement to the Code of 1913, to provide for the determination of location, plans and specifications and divisions of cost for highway improvements by the state highway commission, on or across boundary lines of adjoining counties where said counties are unable to agree.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 72, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 268, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 7, a bill for an act to amend the law as it appears in section seventeen hundred fifty-four (1754) of the code, relating to combination of insurance companies.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 173, a bill for an act to repeal Paragraph One (1) of section four hundred forty-two (442) of the code and enact a substitute therefor, and to add to said section a paragraph to be known as Five (5), all relative to record of meetings of Board of Supervisors.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 464, a bill for an act to repeal section forty-eight hundred fifty-two (4852) of the code, and to enact a substitute therefor, relating to the selling or concealing of mortgaged personal property sold under a conditional bill of sale.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 261, a bill for an act to amend Section Eighteen Hundred Sixty (1860), Chapter Ten (10), Title IX, Supplemental Supplement to the Code, 1915, as amended by Section One (1), Chapter One Hundred Eighty-nine (189), of the Acts of the Thirty-seventh (37) General Assembly, relating to reserves of Savings Banks; and to amend Section Eighteen Hundred Sixty-seven (1867), Chapter Eleven (11), Title IX, of the Code, as amended by Section Two (2), Chapter one Hundred Eighty-nine (189), of the Acts of the Thirty-seventh (37) General Assembly, relating to reserves of State Banks, and to provide cash reserve requirements for State Banks, Savings Banks and Trust Companies, which are or may hereafter become members of the Federal Reserve Bank System of the United States of America.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 456, a bill for an act granting additional powers to cities and municipalities and to the board of health in cities and municipalities.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 394, a bill for an act to provide for the detention of inmates of the institution for feeble-minded children and for their return in case they leave such institution in violation of the provisions of this act.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 425, a bill for an act to amend the law as it appears in section twenty-six hundred twenty-nine (2629), supplement to the Code, 1913, relating to certification of teachers.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File 496, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 559, a bill for an act to repeal Section Eighteen Hundred and Five (1805) Code, 1897, and to enact a substitute therefor and to amend Section Thirty-three Hundred thirteen (3313) of the Code, 1897, relating to the exemption of life, health and accident insurance policies and the proceeds of life, health and accident insurance policies from execution and taxation.

Read first and second time and referred to sifting committee.

House File No. 202, a bill for an act to amend section 1527-s4, supplement to the code of 1913, to provide for the determination of location, plans and specifications and division of cost for highway improvements by the State Highway Commission, on or across

boundary lines of adjoining counties where said counties are unable to agree.

Read first and second time and referred to sifting committee.

House File No. 563, a bill for an act authorizing the board of control to close certain institutions under its management.

Read first and second time and referred to sifting committee.

House File No. 564, a bill for an act relating to the term of office of the state document editor, amending section one hundred forty-four-e (144-e) supplemental supplement to the Code 1915.

Read first and second time and referred to sifting committee.

#### BILLS SIGNED BY GOVERNOR.

A communication was received from the Governor saying he had on April 5, 1919, approved and signed Senate File No. 296; also on April 7, 1919, approved and signed Senate Files Nos. 127, 227 and 442; also on April 9, 1919, approved and signed Senate Files Nos. 154, 248, 111, 302, 79, 119, 54, 341, 440, and 132; and on April 10, 1919, he had approved and signed Senate Files Nos. 118 and 29.

#### THIRD READING OF BILLS.

On motion of Senator Foskett Senate File No. 535, a bill for an act to amend section 1400-T-1 of the Supplement to the Code, relating to boundaries of capitol extension, a committee bill, was taken up, and considered.

Senator Foskett 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 vote was:

Ayes, 39.

Adams  
Anderson  
Balkema  
Ball  
Broxam  
Buser  
Byington

Cessna  
Coburn  
Edwards  
Evans  
Fellows  
Foskett  
Fralley

Greenell  
Haskell  
Horchem  
Kimball  
Kimberly  
Meredith  
Mitchell

Newberry	Reed	Taylor
Parker	Rule	Thompson
Price	Schaffter	Van Alstine
Proudfoot	Scott	White
Rainbow	Stephenson	Whitmore
Ratcliff	Stoddard	Wilson

Nays, 2.

Foster                      Nelson

Absent or not voting, 9.

Arney	Holdoegel	Pitt
Brookhart	Kingland	Shane
Hale	LeCompte	Smith

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 Foskett Senate File No. 534, a bill for an act to amend chapter sixteen-f (16-f) of title twelve (12) of the supplement to the code, 1913, relating to the powers and duties of the state entomologist and authorizing the purchase of equipment by him, a committee bill, was taken up, and considered.

Senator Foskett moved that the rules be suspended, the bill be considered engrossed, and read a hird time now, which motion prevailed, and the bill was read a third time.

On the question "Shall the bill pass?" the vote was:

Ayes, 43.

Adams	Greenell	Rainbow
Anderson	Haskell	Ratcliff
Arney	Holdoegel	Reed
Balkema	Horchem	Rule
Ball	Kimball	Schaffter
Broxam	Kimberly	Scott
Buser	Meredith	Shane
Byington	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Newberry	Thompson
Evans	Parker	Van Alstine
Fellows	Pitt	White
Foskett	Price	Whitmore
Foster	Proudfoot	Wilson
Fralley		

Nays, none.

Absent or not voting, 7.

Brookhart	Kingland	Taylor
Cessna	LeCompte	
Hale	Smith	



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 Foskett Senate File No. 532, a bill for an act making appropriations of funds to enable the state railroad commission to investigate and prosecute interstate cases and to investigate and determine all cases within its jurisdiction, a committee bill, was taken up, and considered.

Senator Foskett 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 vote was:

Ayes, 41.

Adams	Haskell	Reed
Anderson	Holdoegel	Rule
Arney	Kimball	Schaffter
Balkema	Kimberly	Scott
Ball	Meredith	Shane
Brookhart	Mitchell	Smith
Eroxam	Nelson	Stephenson
Byington	Newberry	Stoddard
Coburn	Parker	Taylor
Evans	Pitt	Van Alstine
Fellows	Price	White
Foskett	Proudoot	Whitmore
Foster	Rainbow	Wilson
Frailey	Ratcliff	

Nays, none.

Absent or not voting, 9.

Buser	Greenell	Kingland
Cessna	Hale	LeCompte
Edwards	Horchem	Thompson

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 Foskett Senate File No. 533, a bill for an act to amend section sixteen hundred eighty-one (1681), supplement to the code, 1913, relative to the appropriation for the support of the Weather and Crop Service Bureau, a committee bill, was taken up, and considered.

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

Senator Foskett 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 vote was:

Ayes, 42.

Adams	Foster	Ratcliff
Anderson	Fralley	Reed
Arney	Haskell	Rule
Balkema	Holdoegel	Schaffter
Ball	Horchem	Scott
Brookhart	Kimball	Shane
Broxam	Kimberly	Stephenson
Buser	Meredith	Stoddard
Byington	Mitchell	Taylor
Coburn	Nelson	Thompson
Edwards	Newberry	Van Alstine
Evans	Parker	White
Fellows	Proudfoot	Whitmore
Foskett	Rainbow	Wilson

Nays, none.

Absent or not voting, 8.

Cessna	Kingland	Price
Greenell	LeCompte	Smith
Hale	Pitt	

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

President Moore resumed the chair at 10:50.

#### 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. 477, a bill for an act amending section twenty-eight hundred twenty-d one (2820-d 1,) Supplement to the Code, 1913, and relating to the limitation of indebtedness of independent school districts for school houses and additions thereto.

#### HOUSE AMENDMENTS.

Amend the title to Senate File No. 477 by striking all of the title after the word "act" and substituting the following:

To repeal section two thousand eight hundred twenty-D-1 (2820-D-1) Supplement to the Code, 1913, relating to the limitation of indebtedness of Independent School districts and to enact a substitute therefor.

Amend S. F. 477 by striking all after the enacting clause and substitute the following:

SECTION 1. That section two-thousand eight hundred twenty D-1 (2820 D-1) Supplement to the Code, 1913, be and the same is hereby repealed and the following enacted in lieu thereof: "Any School Corporation shall be allowed to become indebted for the purpose of building and furnishing a school house, or school houses and additions thereto, gymnasium, teachers or superintendents home or homes; and procuring a site or sites therefor, or for the purpose of purchasing land to add a site already owned, to an amount not to exceed in the aggregate, including all other indebtedness, five per centum of the actual value of the taxable property within such school corporation, such value to be ascertained by the last county tax list previous to the incurring of such indebtedness, anything contained in section thirteen hundred six-b (1306-b) Supplement to the Code, 1913, to the contrary notwithstanding."

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE AMENDMENTS CONCURRED IN.

Senator Kimball called up Senate File No. 477, amended by the House, and moved that the Senate concur in the following House amendments:

Amend the title to Senate File No. 477 by striking all of the title after the word "act" and substituting the following:

To repeal section two thousand eight hundred twenty-D-1 (2820-D-1) Supplement to the Code, 1913, relating to the limitation of indebtedness of Independent School districts and to enact a substitute therefor.

Amend S. F. 477 by striking all after the enacting clause and substitute the following:

SECTION 1. That section two-thousand eight hundred twenty D-1 (2820 D-1) Supplement to the Code, 1913, be and the same is hereby repealed and the following enacted in lieu thereof: "Any School Corporation shall be allowed to become indebted for the purpose of building and furnishing a school house, or school houses and additions thereto, gymnasium, teachers or superintendents home or homes; and procuring a site or sites therefor, or for the purpose of purchasing land to add a site already owned, to an amount not to exceed in the aggregate, including all other indebtedness, five per centum of the actual value of the taxable property within such school corporation, such value to be ascertained by the last county tax list previous to the incurring of such indebtedness, anything contained in section thirteen hundred six-b (1306-b) Supplement to the Code, 1913, to the contrary notwithstanding."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 42.

Adams	Foster	Price
Anderson	Frailey	Rainbow
Arney	Greenell	Ratcliff
Balkema	Haskell	Reed
Ball	Holdoegel	Rule
Brookhart	Horchem	Schaffter
Broxam	Kimball	Scott
Byington	Kimberly	Shane
Cessna	Meredith	Smith
Coburn	Mitchell	Stephenson
Edwards	Nelson	Stoddard
Evans	Newberry	White
Fellows	Parker	Whitmore
Foskett	Pitt	Wilson

Nays, 1.

Buser

Absent or not voting, 7.

Hale	Proudfoot	Thompson
Kingland	Taylor	Van Alstine
LeCompte		

The House amendments having received a constitutional majority, were declared to have been concurred in by the Senate.

#### HOUSE AMENDMENTS CONCURRED IN.

Senator Meredith called up Senate File No. 278, amended by the House, and moved that the Senate concur in the following House amendments:

Amend Senate File No. 278 by striking out the comma (,) in Section one (1) in line nine (9) after the figures "1918" and by adding the word and figures "and 1919,".

Also amend Senate File No. 278 by striking out the comma (,) in Section two (2), line ten (10) after the figures "1918" and by adding the word and figures "and 1919,".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 31.

Anderson	Buser	Evans
Balkema	Cessna	Foskett
Ball	Coburn	Frailey
Brookhart	Edwards	Greenell

Holdoegel	Newberry	Scott
Horchem	Pitt	Smith
Kimball	Rainbow	Stoddard
Kimberly	Reed	Taylor
Meredith	Rule	Van Alstine
Mitchell	Schaffter	Wilson
Nelson		

Nays, none.

Absent or not voting, 19.

Adams	Haskell	Ratcliff
Arney	Kingland	Shane
Broxam	LeCompte	Stephenson
Byington	Parker	Thompson
Fellows	P-ice	White
Foster	Proudfoot	Whitmore
Hale		

The House amendments having received a constitutional majority, were declared to have been concurred in by the Senate.

#### LEAVE OF ABSENCE.

Senator Nelson requested that leave of absence be granted Senators Kingland and LeCompte for the day.

Objection was made and the request was not granted.

Senator Foskett moved that all appropriation bills not disposed of today be made special orders for Monday afternoon immediately upon convening and be considered in turn until all are disposed of.

The motion prevailed.

#### THIRD READING OF BILLS.

On motion of Senator Foskett, Senate File No. 531, a bill for an act to amend Chapter 236 acts of the Thirty-seventh General Assembly relative to the establishment of state parks, their acquisition, maintenance, improvement, and control, and providing for an appropriation therefor, a committee bill, was taken up and considered.

Senator Foskett 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 vote was:

Ayes, 42.

Adams	Fraley	Reed
Anderson	Greenell	Rule
Arney	Haskell	Schaffter
Ball	Holdoegel	Scott
Brookhart	Horchem	Shane
Broxam	Kimball	Smith
Buser	Kimberly	Stephenson
Byington	Meredith	Stoddard
Cessna	Newberry	Taylor
Coburn	Parker	Thompson
Edwards	Pace	Van Alstine
Evans	Proudfoot	White
Fellows	Rainbow	Whitmore
Foskett	Ratcliff	Wilson

Nays, 1.

Nelson

Absent or not voting, 7.

Balkema	Kingland	Mitchell
Foster	LeCompte	Pitt
Hale		

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 Foskett, House Joint Resolution No. 4, a House Joint resolution approving estimate of costs, plans and specifications for buildings at the State University of Iowa and 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 Foskett moved that the rules be suspended, and the joint resolution be read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, "Shall the joint resolution be adopted?" the vote was:

Ayes, 42.

Adams	Ball	Byington
Anderson	Brookhart	Coburn
Arney	Broxam	Edwards
Balkema	Buser	Evans

Fellows	Mitchell	Schaffter
Foskett	Nelson	Scott
Frailey	Newberry	Shane
Greenell	Parker	Smith
Haskell	Price	Stephenson
Holdoegel	Proudfoot	Stoddard
Horchem	Rainbow	Taylor
Kimball	Ratcliff	White
Kimberly	Reed	Whitmore
Meredith	Rule	Wilson

Nays, none.

Absent or not voting, 8.

Cessna	Kingland	Thompson
Foster	LeCompte	Van Alstine
Hale	Pitt	

So the joint resolution having received a constitutional majority, was declared to have been adopted by the Senate and its title was agreed to.

On motion of Senator Stephenson Senate File No. 137, a bill for an act to appropriate money to pay the salaries of certain persons who acted as judges and clerks of election in the year 1918 at the various military camps throughout the United States in taking the vote of persons in the military service, and to meet extraordinary expenses of the various commissioners who were appointed to take such vote, including a per diem for certain commissioners who made a survey of certain camps preliminary to the election, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out all after the word "pay" in line three (3) of Section two (2), and before the word "necessary" in line five (5) of Section two (2), and before the word "necessary" in line five (5) of Section three (3) of Section two (2) thereof.

Amend by striking out all of section 4, the publication clause.

The amendment was adopted.

Senator Stephenson 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 vote was:

Ayes, 39.

Adams	Foskett	Reed
Anderson	Foster	Rule
Arney	Frailey	Schaffter
Balkema	Greenell	Scott
Ball	Haskell	Shane
Brookhart	Horchem	Stephenson
Broxam	Kimball	Stoddard
Buser	Kimberly	Taylor
Byington	Newberry	Thompson
Coburn	Parker	Van Alstine
Edwards	Pitt	White
Evans	Proudfoot	Whitmore
Fellows	Rainbow	Wilson

Nays, 2.

Price                      Smith

Absent or not voting, 9.

Cessna	Kingland	Mitchell
Hale	LeCompte	Nelson
Holdoegel	Meredith	Ratcliff

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

#### CALL OF THE SENATE.

April 12, 1919.

We, the undersigned members of the Senate, request a call of the Senate on the consideration of House File No. 550 and amendments thereto and reports of members of sub-committee of joint judiciary committee thereon.

W. T. EVANS,  
 J. M. WILSON,  
 J. L. BROOKHART,  
 J. R. FRAILEY,  
 J. A. STEPHENSON,  
 W. J. GREENELL,  
 A. L. RULE,  
 H. C. WHITE,  
 D. W. KIMBERLY,  
 F. E. THOMPSON,  
 E. E. MITCHELL,  
 H. I. FOSKETT,  
 J. J. RAINBOW,  
 P. C. HOLDOEGEL,  
 J. D. BUSER,  
 B. J. HORCHEM,  
 O. A. BYINGTON,



The roll call showed as follows:

Present, 47.

Adams	Frailey	Ratcliff
Anderson	Greenell	Reed
Arney	Haskell	Rule
Balkema	Holdoegel	Schaffter
Ball	Horchem	Scott
Brookhart	Kimball	Shane
Broxam	Kimberly	Smith
Buser	Meredith	Stephenson
Byington	Mitchell	Stoddard
Cessna	Nelson	Taylor
Coburn	Newberry	Thompson
Edwards	Parker	Van Alstine
Evans	Pitt	White
Fellows	Price	Whitmore
Foskett	Proudfoot	Wilson
Foster	Rainbow	

Absent, 3.

Hale	Kingland	LeCompte
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The Sergeant-at-Arms was directed to secure the attendance of absentees.

Senator Wilson moved that Senator Hale, absent on account of illness, be excused from the call.

Senator Whitmore moved to amend by adding that Senators LeCompte and Kingland, absent from the city, be excused from the call.

The amendment was accepted by Senator Wilson.

Senator Kimball moved as a substitute for the pending motion that the call be suspended until 2:00 o'clock Monday.

Senator Wilson raised the point of order that the motion of Senator Kimball was out of order.

The President held the point of order well taken.

On the question "Shall the motion by Senator Wilson prevail?" the vote was:

## Ayes, 23.

Adams	Foster	Schaffter
Arney	Frailey	Scott
Balkema	Haskell	Smith
Broxam	Holdoegel	Stoddard
Byington	Parker	White
Coburn	Proudfoot	Whitmore
Fellows	Reed	Wilson
Foskett	Rule	

## Nays, 24.

Anderson	Horchem	Price
Ball	Kimball	Rainbow
Brookhart	Kimberly	Ratcliff
Buser	Meredith	Shane
Cessna	Mitchell	Stephenson
Edwards	Nelson	Taylor
Evans	Newberry	Thompson
Greenell	Pitt	Van Aistine

## Absent or not voting, 3.

Hale	Kingland	LeCompte
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The motion was lost.

Senator Foster moved that the call of the Senate be raised.

The motion prevailed.

## THIRD READING OF BILLS.

Under the head of unfinished business, the Senate took up consideration of House File No. 550.

Senator Kimball moved that further consideration of House File No. 550 be deferred until Monday afternoon at 2:00 o'clock.

On the question "Shall the motion prevail?" the vote was:

## Ayes, 14.

Ball	Kimball	Newberry
Buser	Kimberly	Rainbow
Cessna	Meredith	Taylor
Edwards	Mitchell	Thompson
Evans	Nelson	

## Nays, 28.

Adams	Byington	Horchem
Anderson	Foskett	Parker
Arney	Foster	Pitt
Balkema	Frailey	Price
Brookhart	Holdoegel	Proudfoot

Ratcliff  
Reed  
Rule  
Schaffter  
Scott

Shane  
Smith  
Stephenson  
Stoddard

Van Alstine  
White  
Whitmore  
Wilson

Absent or not voting, 8.

Broxam  
Coburn  
Fellows

Greenell  
Hale  
Haskell

Kingland  
LeCompte

The motion was lost.

Senator Brookhart offered the following amendment and moved its adoption:

Amend the amendment to House File 550 by striking out the words "treasurer of State" in line 21 of section 16 and inserting in lieu thereof the word "department", and striking out the words "state treasurer" in line 23 thereof and inserting the word "department", and by changing the word "cones" in line 10, section 28 to "zones", and by striking out the words "secretary of state" in line 28 of section 39, and inserting in lieu thereof the word "department".

The amendment was adopted.

Senator Foster moved that all addresses on any subjects today be limited to ten minutes to each speaker.

Senator Proudfoot offered the following amendment to the pending motion:

Amend by adding thereto the following:

"And that no senator be allowed to speak but once on the same question except the member having the measure in charge."

The amendment was adopted.

Senator Evans raised the point of order that motions were out of order as an amendment was pending.

The president held the point of order not well taken.

The motion as amended prevailed.

Senator Rule was called to the chair at 10:50.

Senator Brookhart offered the following amendment and moved its adoption:

Amend the amendment to House File No. 550 by striking out all of the first sentence of section twenty-six after the word "ratio", and inserting in lieu thereof the following: "which the area of each county bears to the area of the whole state".

The amendment was adopted.

Senator Pitt offered the following amendment and moved its adoption:

Amend House File No. 550 by inserting after the word "bicycle" and before the word "and" in the third (3) line of section nine (9) thereof the following: "and except motor vehicles used by mail carriers in the employ of the United States Government".

The amendment was adopted.

On motion of Senator Pitt, the vote by which the amendment was adopted was reconsidered.

Senator Whitmore moved that the rule be suspended and the time of Senator Kimball be extended ten minutes.

The motion prevailed.

President Moore resumed the chair at 11:40.

Senator Foster moved the previous question on the substitute amendment.

The motion for the previous question was lost.

On the question, "Shall the substitute amendment be adopted?" the vote was:

Ayes, 25.

Ball	Horchem	Price
Brookhart	Kimball	Rainbow
Buser	Kimberly	Ratcliff
Byington	Meredith	Shane
Cessna	Mitchell	Smith
Edwards	Nelson	Stephenson
Evans	Newberry	Taylor
Frailey	Pitt	Thompson
Greenell		

Nays, 21.

Adams	Broxam	Foster
Anderson	Coburn	Holdoegel
Arney	Fellows	Parker
Balkema	Foskett	Proudfoot

Reed  
Rule  
Schaffter

Scott  
Stoddard  
Van Alstine

White  
Whitmore  
Wilson

Absent or not voting, 4.

Hale  
Haskell

Kingland

LeCompte

The substitute amendment was adopted.

Further action was deferred until afternoon.

#### AMENDMENTS FILED.

I move to amend Senate File 120 as follows:

By inserting after the colon (:) in Line four (4), Section One (1) the following:

"Certified and authenticated transcripts of the records or files that from the probate courts of any other state or country showing:

1. The final report of the legal representative of any decedent, or
2. A decree or court order establishing the name of the surviving spouse and heirs of decedent, or
3. A report or decree establishing payment of legacies or claims filed against the estate of a decedent, or other proceedings had, showing probate of any foreign will, may be filed and recorded in the office of the clerk of the District Court of any county of this state, and when so filed and recorded shall be presumptive evidence of the facts contained herein."

Strike out all of Section Two (2).

Renumber Section Three (3) as Section Two (2).

H. S. VAN ALSTINE.

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate in the presence of the Senate he had signed Senate Files Nos. 430, 476 and 277.

#### CALL OF THE SENATE.

The following call of the Senate was filed:

We, the undersigned, ask for a call of the Senate on any action proposed to be taken with reference to House File No. 122.

E. M. SMITH,  
W. C. RATCLIFF,  
D. W. KIMBERLY,

J. M. WILSON,  
W. T. EVANS,  
F. E. THOMPSON,  
J. K. HALE,  
J. R. FRAILEY,  
B. J. HORCHEM,  
W. J. GREENELL,  
A. L. BROXAM,  
H. C. WHITE,  
JNO. R. PRICK,  
C. W. REED.

On motion of Senator Shane, Senate adjourned until 1:30 p. m. today.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 12th day of April, 1919, sent to the governor for his approval, Senate File No. 277, a bill for an act to establish a state psychopathic hospital especially designed, equipped and administered for the care, observation and treatment of persons who are afflicted with abnormal mental conditions, and providing for method of hearing complaint as to persons so afflicted and commitment following such hearing, and making appropriation for the establishment of such hospital.

Also:

Senate File No. 430, a bill for an act to amend the law as it appears in section twenty-five hundred thirty-eight-r (2538-r) supplement to the Code, 1913, relating to commission of animal health.

Also:

Senate File No. 476, a bill for an act to authorize the Superintendent of Banking to deny a certificate of authority for any proposed new bank or trust company to commence business; to provide a Board of Appeal; and to prohibit any more private banks from commencing business, provided private banks established previous to the date of enactment of said Act are not affected, and to provide publication of said Act.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

## CORRECTION OF JOURNAL.

The journal of April 11th was corrected and approved.

## RESOLUTION.

Senator Greenell offered the following resolution and moved its adoption:

MR. PRESIDENT—I move that a committee of two from the Senate be appointed by the president of the Senate to act jointly with a similar committee from the House to procure and present to the citizens of Sioux City, Iowa, a proper token of the sincere appreciation of this legislature to said citizens for the fine hospitality extended to the legislature on Saturday, March 15th, through the joint good roads committee of the Commercial Club, Real Estate Board, Rotary Club and Motor Trades Bureau.

By unanimous consent, the resolution was taken up, considered and adopted.

The president appointed as such committee on the part of the Senate, Senators Greenell and Coburn.

## 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. 500, a bill for an act to amend chapter two-a (2-a) title ten (X) of the supplement to the code, 1913, relating to drainage districts and to provide for the establishment of additional pumping stations and to provide for the division of districts in which pumping plants have been established and the creation of new districts by such division and to provide for the manner of such division and the payment of the obligations of the original district and to provide for the establishing of sub-drainage districts as independent districts and to provide for the construction of settling basins and the condemnation of lands for the purpose of constructing settling basins and inlets thereto.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 declare legal and valid, judgments and decrees rendered by courts in certain cases where an affidavit

as required by Section thirty-five hundred and thirty-four (3534), of the Code, was not filed prior to the publication of the original notice.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 394, a bill for an act amending Section One of Chapter One hundred sixty-four (164) of the laws of the Thirty-seventh General Assembly and providing that the same amount of pension and method of payment and making appropriation therefor shall apply to the survivors of the Southern Border Brigade as to the Northern Border Brigade,

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 562, a bill for an act to repeal section thirty-five hundred thirty-nine (3539), supplemental supplement to the code, 1915, relative to the service of notice on unknown persons.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 463, a bill for an act to provide a method of serving notice to quit in cases where the defendant cannot be found at the premises described in the notice.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 548, a bill for an act to coordinate the work of the state of Iowa and of the government of the United States relative to road improvements, to provide and to define a system of primary and secondary roads in each county and to provide for the extension of such primary system, to provide for the improvement and maintenance of such roads and to prescribe the procedure therefor, to extend certain options to each county in the improvement of its roads, to provide the funds to pay the cost of such improvements and to regulate the division, accounting and disbursement of such funds, to authorize, in certain cases, the levy of limited special assessments upon real estate which abutts upon or is adjacent to such road improvements, in order to defray a part of the



cost thereof and to regulate and prescribe the procedure in consummating such assessments and the collection and application thereof, to authorize and regulate the anticipation by each county of the funds (including special assessments) provided by this act for road improvements, to authorize the submission to the voters of each county of the question of issuing bonds of the county in order to secure immediate funds to carry on such improvements, and of levying an annual tax on all the property of the county to pay the annual interest on said bonds and to pay any deficiency in the principal of such bonds which cannot be met by other funds provided by this act, to authorize the submission to the voters of the county of the question of validating specified contracts for the improvement of highways and the question of issuing the bonds of the county in order to carry out such contracts, and of levying an annual tax to pay the annual interest on such bonds and to pay any deficiency in the principal of such bonds which cannot be met by other funds provided by this act, to provide the procedure for submitting all such questions to the voters and for the determination of the result of such submission, to provide the procedure for the levy of taxes and for the form, conditions, issuance, application, disbursement, and payment of authorized bonds and the interest thereon, to limit the amount of bonds which may be issued under any vote of authorization, to empower township trustees to levy an additional tax of two mills for township roads, to provide for the purchase, lease, receipt and distribution of equipment in aid of the improvements provided by this act and to authorize the payment of the cost of such equipment, to prohibit and punish violations of this act, to repeal section one thousand five hundred seventy-one-m thirty-two (1571-m32), supplemental supplement to the code, 1915, and to enact a substitute therefor, to amend paragraph five (5) of section one thousand three hundred three (1303) supplemental supplement to the code, 1915, to repeal section fifteen hundred twenty-seven-f (1527-f) to section fifteen hundred twenty-seven-r (1527-r), supplement to the code, 1913, and all existing acts and parts in conflict with this act, to provide for the printing and distribution of this act, and to provide the time when the same shall take effect.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 322, a bill for an act to empower and authorize the grading, paving and curbing of certain streets and highways by the joint action of counties, cities and towns.

#### HOUSE AMENDMENT.

Amend Senate File No. 322 by striking out section one and inserting in lieu thereof the following:

"SECTION 1. That in all counties in which there is located a permanent federal or state institution within a distance of five miles from the corporate limits of the county seat, to which institution there is a main traveled thoroughfare leading from said county seat to said institution through another city or town in the county, such counties, cities or towns shall have the power to improve said thoroughfare to said institution by grading, paving and curbing the same by the joint action of said counties, cities and towns, and shall have the power and authority to maintain and keep said thoroughfare in repair".

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 394, a bill for an act amending Section One of Chapter One hundred sixty-four (164) of the laws of the Thirty-seventh General Assembly and providing that the same amount of pension and method of payment and making appropriation therefor shall apply to the survivors of the Southern Border Brigade as to the Northern Border Brigade.

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

House File No. 375, a bill for an act to declare legal and valid, judgments and decrees rendered by courts in certain cases where an affidavit as required by Section thirty-five hundred and thirty-four (3534), of the Code, was not filed prior to the publication of the original notice.

Read first and second time and referred to sifting committee.

House File No. 500, a bill for an act to amend chapter two-a (2-a) title ten (X) of the supplement to the code, 1913, relating to drainage districts and to provide for the establishment of additional pumping stations and to provide for the division of districts in which pumping plants have been established and the creation of new districts by such division and to provide for the manner of such division and the payment of the obligations of the original district and to provide for the establishing of sub-drainage districts as independent districts and to provide for the construction of settling basins and the condemnation of lands for the purpose of constructing settling basins and inlets thereto.

Read first and second time and referred to sifting committee.

House File No. 562, a bill for an act to repeal section thirty-five hundred thirty-nine (3539), supplemental supplement to the

code, 1915, relative to the service of notice on unknown persons.

Read first and second time and referred to sifting committee.

House File No. 463, a bill for an act to provide a method of serving notice to quit in cases where the defendant cannot be found at the premises described in the notice.

Read first and second time and referred to sifting committee.

### THIRD READING OF BILLS.

Senate resumed consideration of House File No. 550.

Senator Pitt offered the following amendment and moved its adoption:

Amend House File No. 550 as amended by inserting after the words "United States" and before the word "and" in the fourth (4) line of section twenty-two (22) thereof the following: "including those used in the service of the United States Government by mail carriers,".

The amendment was adopted.

Senator Wilson offered the following amendment and moved its adoption:

Amend House File No. 550 by adding as division (p) to Section twenty-eight (28) the following:

That the person operating a motor vehicle shall, upon approaching a railroad crossing, slow down his speed to ten (10) miles per hour at a distance of two hundred (200) feet back from said crossing; a failure to so reduce his speed shall be a misdemeanor punishable by fine of not to exceed one hundred (\$100.00) dollars.

Senator Whitmore offered the following amendment to the amendment and moved its adoption:

Insert after the word "crossing" in line 4 the words "where there is a crossing sign;".

The amendment to the amendment was lost.

On the question, "Shall the amendment offered by Senator Wilson be adopted?" the vote was:

Ayes, 12.

Balkema  
Coburn  
Foster  
Holdoegel

Kimball  
Meredith  
Parker  
Rainbow

Rule  
Schaffter  
White  
Wilson

Nays, 32.

Adams	Fellows	Reed
Anderson	Foskett	Scott
Arney	Frailey	Shane
Ball	Greenell	Smith
Brookhart	Horchem	Stephenson
Broxam	Kimberly	Stoddard
Buser	Nelson	Taylor
Byington	Newberry	Thompson
Cessna	Price	Van Alstine
Edwards	Proudfoot	Whitmore
Evans	Ratcliff	

Absent or not voting, 6.

Hale	Kingland	Mitchell
Haskell	LeCompte	Pitt

The amendment was lost.

Senator Buser offered the following amendment and moved its adoption:

Amend the substitute amendment to House File number five hundred and fifty by striking from section 28, sub-division "n" line fifteen the following "one hundred dollars (\$100)" and insert in lieu thereof "twenty five dollars", (\$25) also strike from said sub-division "n" of section 25 the following "or by imprisonment not exceeding thirty (30) days."

The amendment was adopted.

Senator Whitmore offered the following amendment and moved its adoption:

Amend House File 550 as amended by striking out of Section 3 line 4 the word "an" where it occurs before "application" and substituting therefor the words "a verified".

The amendment was adopted.

Senator Whitmore offered the following amendment and moved its adoption:

Amend by adding to Section 3 the following:

The State shall provide and distribute to the respective counties a license card holder, one of which the county treasurer shall, upon request, without charge, furnish to the registrant.

The amendment was adopted.

Senator Van Alstine offered the following amendment and moved its adoption:

I move to amend House File No. 550 as amended by inserting the words "aeroplane, airship" following the word "except" where it occurs in the fourth line of section one.

The amendment was lost.

Senator Scott offered the following amendment and moved its adoption:

Amend section 28 of House File No. 550 as amended by inserting in the second line of sub-division "B" following the word "left" the following words: "where the surface of the ground will permit".

The amendment was lost.

Senator Balkema offered the following amendment and moved its adoption:

Amend section 11 of House File 550 as amended by striking from line 6 the word "three" and inserting in lieu thereof the word "four".

Also by striking from line 8 of the same section the words "thirty-five" and inserting in lieu thereof the word "fifty".

The amendment was adopted.

Senator Buser offered the following amendment and moved its adoption:

Amend House File 550 by striking from section 18 the following: "no greater weight or load shall be allowed than specified on the load capacity plate" and substituting the following: "no greater weight or load shall be allowed than the load capacity of the capacity plate and an increase of fifty per cent thereof."

The amendment was adopted.

Senator Mitchell was called to the chair at 2:40 p. m.

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

President Moore resumed the chair at 3:25.

On the question "Shall the bill pass?" the vote was:

## Ayes, 34.

Adams	Frailey	Rainbow
Balkema	Greenell	Reed
Ball	Horchem	Rule
Brookhart	Kimball	Schaffter
Buser	Kimberly	Shane
Byington	Meredith	Smith
Cessna	Mitchell	Stephenson
Edwards	Nelson	Taylor
Evans	Newberry	Thompson
Fellows	Pitt	Van Alstine
Foskett	Price	Whitmore
Foster		

## Nays, 11.

Anderson	Parker	Stoddard
Arney	Proudfoot	White
Coburn	Ratcliff	Wilson
Holdoegel	Scott	

## Absent or not voting, 5.

Broxam	Haskell	LeCompte
Hale	Kingland	

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

Senator Brookhart moved that the vote by which House File No. 550 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

## RESIGNATION FROM COMMITTEE.

MR. PRESIDENT—On account of necessary work in preparation of the salary budget and the omnibus bill, I find that it is absolutely impossible for me to attend the meetings of the committee appointed to investigate the actions of Woodworth Clum in connection with the Panama Pacific Exposition. I therefore resign from said committee.

H. I. FOSKETT.

The resignation was accepted and the president appointed Senator Adams to fill the vacancy.

## SENATE FILE NO. 309 REFERRED.

On motion of Senator Ratcliff, Senate File No. 309 was referred to the committee on appropriations.

## EXPLANATION OF VOTE.

While I greatly desired some legislation whereby automobile licenses may be paid in the County where owner resides, I voted "No" on House File No. 550 for the reason that the rate charged is excessive, unreasonable and unwarranted and on account of such excessive rates, voted against the bill.

W. C. RATCLIFF.

## THIRD READING OF BILLS.

On motion of Senator Parker, House File No. 358, a bill for an act to amend the law as it appears in sections thirteen hundred six-b (1306-b), thirteen hundred six-c (1306-c), and thirteen hundred six-d (1306-d), supplement to the code, 1913, and chapter eighty-five (85), acts of the thirty-seventh general assembly, relating to the limitations of indebtedness which may be incurred by counties and other political or municipal corporations and the issuance of bonds in cities and towns, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 27.

Anderson	Horchem	Rule
Arney	Kimberly	Schaffter
Balkema	Meredith	Shane
Ball	Mitchell	Stephenson
Broxam	Newberry	Stoddard
Byington	Parker	Van Alstine
Evans	Price	White
Fellows	Proudfoot	Whitmore
Fralley	Rainbow	Wilson

Nays, 1.

Ratcliff

Absent or not voting, 22.

Adams	Greenell	Nelson
Brookhart	Hale	Pitt
Buser	Haskell	Reed
Cessna	Holdoegel	Scott
Coburn	Kimball	Smith
Edwards	Kingland	Taylor
Foskett	LeCompte	Thompson
Foster		

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

#### HOUSE AMENDMENT CONCURRED IN.

Senator Parker called up Senate File No. 322, amended by the House, and moved that the Senate concur in the following House amendment:

#### HOUSE AMENDMENT.

Amend Senate File No. 322 by striking out section one and inserting in lieu thereof the following:

"SECTION 1. That in all counties in which there is located a permanent federal or state institution within a distance of five miles from the corporate limits of the county seat, to which institution there is a main traveled thoroughfare leading from said county seat to said institution through another city or town in the county, such counties, cities or towns shall have the power to improve said thoroughfare to said institution by grading, paving and curbing the same by the joint action of said counties, cities and towns, and shall have the power and authority to maintain and keep said thoroughfare in repair".

Further action was deferred.

#### 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 requests the return of House File No. 583, a bill for an act authorizing the board of control to close certain institutions under its management.

W. C. RAMSAY, *Chief Clerk.*

On motion of Senator Parker the request was granted.

#### INTRODUCTION OF BILLS.

By Committee on Appropriations, Senate File No. 536, a bill for an act to reimburse Charles W. Mullan, judge of the district court of the tenth judicial district, for expenses incurred in the performance of his official duties, from October 4, 1915, to April 18, 1918, and providing for payment thereof.

Read first and second time and ordered on the calendar.

#### REPORT OF COMMITTEE.

Senator Foskett, from the committee on appropriations, submitted the following report:



MR. PRESIDENT—Your committee on appropriations, to whom was referred House File No. 272, a bill for an act appropriating funds for paving the road through and adjacent to the grounds of the Iowa School for the Deaf, providing for the manner of construction of said pavement, and amending Chapter 276 of the laws of the 37th General Assembly relating to the same matter, beg leave to report they have had the same under consideration and recommend the same be amended as follows and when so amended that the bill be reported out for passage:

Amend by substituting for the words and figures "Sixteen Thousand Dollars (\$16,000.00)" in the eighth (8th) line of Section 3, the words and figures "Twenty-two Thousand Dollars (\$22,000.00)".

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred House File No. 335, a bill for an act to establish a State Live Stock Sanitary Board of Iowa and to provide for the control and suppression of dangerous contagious infectious diseases of domestic animals and for the inspection of live stock imported into the state for breeding, work or dairy purposes, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 357, a bill for an act to provide for the levy and collection of tonnage tax on all coal mined and sold in Iowa by coal mining companies and that the said tax shall be used for the support of schools where miners' children are educated, 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:

Amend by adding to said substitute the following: "provided, however, that no funds from this appropriation shall be paid to any district that has not levied upon the property within the district the maximum tax permitted for school purposes."

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 282, a bill for an act providing for the standardization of rural schools and granting state aid and providing for an appropriation therefor, beg

leave to report they have had the same under consideration and recommend the same as amended do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

COMMUNICATION FROM HIGHWAY COMMISSION.

Des Moines, Iowa, April 12, 1919.

LIEUT. Gov. E. R. MOORE, *President of the Senate, Thirty-eighth General Assembly, State House, Des Moines, Iowa.*

SIR—I wish to present to you herewith a copy of a resolution passed by the State Highway Commission at their meeting on April 11th asking that a joint committee be named by the legislature to confer and advise with the State Highway Commission in the administration of the Federal Aid Road Act, and the Act which has been passed by the Thirty Eighth General Assembly accepting such Federal aid.

The Commission is presenting this request in an earnest spirit of cooperation with the General Assembly in the administration of this most important work.

A similar letter with a copy of this resolution attached is being presented to the Speaker of the House.

Very truly yours,

IOWA STATE HIGHWAY COMMISSION,

By J. W. Holden, *Chairman.*

*Whereas*, the Congress of the United States has, under an act approved February 28, 1919, very materially increased the Federal Appropriation for aiding the states in the construction of rural Highways; and

*Whereas*, each house of the Thirty-eighth General Assembly of Iowa has passed an Act accepting such increased Federal Aid and providing for the improvement of the rural highways of the state in a more extensive manner than heretofore undertaken; and

*Whereas*, the State Highway Commission is charged with the duty of carrying out the provisions of said acts;

*Therefore Be It Resolved by the State Highway Commission:*

That the Thirty-eighth General Assembly be and hereby is requested to provide for a joint legislative committee of six to ten members from various parts of the state to confer and advise with the said Commission in the administration of the acts hereinbefore referred to, said committee to meet with the members of the Commission between sessions of the General Assembly and not less than four times each year, to keep in touch with the progress made in Highways improvements, and with the work of the State Highway Commission in order that the Commission may be brought more closely in touch with the views of the legislature

regarding highway affairs, and that future legislatures may have first hand information relative to the work of the Commission and the progress being made in highway improvements; and

That the present General Assembly be and hereby is requested to provide the necessary funds for the payment of the per diem and necessary expenses of said committee in meeting with the commission or to authorize that same shall be paid from the General Maintenance Fund of the State Highway Commission.

The foregoing resolution was adopted at a meeting of the members of the State Highway Commission at Ames, Iowa, on April 11, 1919, which was attended by Commissioners Holden and Marston voting "yes".

J. W. Holden, Chairman.

On motion of Senator Parker, Senate adjourned until 9:00 a. m., Monday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 14, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. E. G. Williams, pastor of the First Presbyterian church of Colfax.

## LEAVE OF ABSENCE.

On request of Senator Haskell, leave of absence was granted Senator Hale for the day on account of illness.

On request of Senator Whitmore, leave of absence was granted Senator Price for the forenoon.

On request of Senator White, leave of absence was granted Senator Shane for the day.

## HOUSE AMENDMENT CONCURRED IN.

Senator Parker called up Senate File No. 322, amended by the House, and moved that the Senate concur in the following House amendment:

Amend Senate File No. 322 by striking out section one and inserting in lieu thereof the following:

"SECTION 1. That in all counties in which there is located a permanent federal or state institution within a distance of five miles from the corporate limits of the county seat, to which institution there is a main traveled thoroughfare leading from said county seat to said institution through another city or town in the county, such counties, cities or towns shall have the power to improve said thoroughfare to said institution by grading, paving and curbing the same by the joint action of said counties, cities and towns, and shall have the power and authority to maintain and keep said thoroughfare in repair".

On the question, "Shall the Senate concur?" the vote was:

**Ayes, 29.**

Anderson	Kingland	Smith
Ball	LeCompte	Stephenson
Brookhart	Meredith	Stoddard
Byington	Nelson	Taylor
Evans	Newberry	Thompson
Fellows	Parker	Van Alstine
Foskett	Rainbow	White
Foster	Rule	Whitmore
Fralley	Schaffter	Wilson
Horchem	Scott	

**Nays, none.****Absent or not voting, 21.**

Adams	Edwards	Mitchell
Arney	Greenell	Pitt
Balkema	Hale	Price
Broxam	Haskell	Proudfoot
Buser	Holdoegel	Ratcliff
Cessna	Kimball	Reed
Coburn	Kimberly	Shane

The House amendment having received a constitutional majority, was declared to have been concurred in by the Senate.

**INTRODUCTION OF BILLS.**

By committee on appropriations, Senate File No. 537, a bill for an act to provide for the collection of the collateral inheritance tax and making an appropriation therefor.

Read first and second time and passed on file.

By Senator Whitmore Senate Joint Resolution No. 10, a joint resolution requiring the president of the Senate and the Speaker of the House to appoint a joint legislative committee to meet with the state highway commission and confer in the matter of highway improvements under the federal aid act, and making provision for the compensation and expenses of said committee.

*Be It Resolved by the General Assembly of the State of Iowa:*

That prior to adjournment of this session, the President of the Senate shall appoint three senators and the Speaker of the House shall appoint four members of the House to constitute a joint legislative committee on highways. The President of the Senate and the Speaker of the House shall confer in the matter of these appointments and shall select them as to give fair representation to

the different portions of the state. The said committee shall select one of their members as chairman.

It is made the duty of said committee to meet with the members of the state highway commission not less than four (4) nor more than eight (8) times each year, to keep in touch with the progress made in the operation of the state highway laws and with the operation of the Federal Aid act in reference thereto under both state and Federal acts, and with the work of the state highway commission; to the end that the boards of supervisors, the public at large and members of the state legislature and of the state highway commission may co-operate in the administration of the highway laws, and that future legislatures may have first-hand information relative thereto. The said committee shall make printed report to the Thirty-ninth General Assembly as to their work and recommendations.

The duties of said committee shall cease and determine on February 1, 1921. The members of said committee shall be paid in full compensation for their time the sum of six dollars (\$6.00) per day each, for their actual time in attending such meetings and shall be re-imbursed for their actual expenses incurred in such connection; to be paid from the general maintenance fund of the state highway commission, upon verified statements when duly approved by the chairman of said joint legislative highway committee, and by the chairman of the Iowa State Highway Commission.

Read first and second times and passed on file.

Senator Whitmore asked unanimous consent for the consideration of the resolution at this time.

**Objection was made and action was therefore deferred.**

#### THIRD READING OF BILLS.

On motion of Senator Le Compte, Senate File No. 524, a bill for an act to amend Senate File two hundred and ten (210) as enacted by the thirty-eighth (38) general assembly and approved March 14, 1919, relating to a codification of the laws and the printing and publishing of the code and the reports of the code commission, a committee bill, was taken up and considered.

Senator Proudfoot offered the following amendment and moved its adoption:

Amend Senate File 524 by striking out the words "executive council" and substituting in lieu thereof the words "Board of Public Printing and Binding."

The amendment was adopted.

Senator Le Compte 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 vote was:

Ayes, 35.

Adams	Greenell	Reed
Anderson	Haskell	Rule
Arney	Holdoegel	Schaffter
Balkema	Horchem	Scott
Ball	Kimberly	Smith
Brookhart	Kingland	Stephenson
Broxam	LeCompte	Stoddard
Buser	Nelson	Taylor
Byington	Newberry	White
Fellows	Parker	Whitmore
Foskett	Proudfoot	Wilson
Fralley	Rainbow	

Nays, none.

Absent or not voting, 15.

Cessna	Hale	Price
Coburn	Kimball	Ratcliff
Edwards	Meredith	Shane
Evans	Mitchell	Thompson
Foster	Pitt	Van Alstine

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

Senator Le Compte moved to reconsider the vote by which Senate File No. 524 passed the Senate and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Newberry, Senate File No. 291, a bill for an act establishing a medical department of the state library, to provide for the cataloguing and shelving of books thereof, making appropriation therefor, and providing for an assistant librarian and fixing the salary of such assistant, with report of committee recom-

mending passage was taken up, considered and the report of the committee adopted.

Senator Newberry 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.

Senator Newberry invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 18.

Adams	Greenell	Rule
Arney	Haskell	Schaffter
Brookhart	Holdoegel	Scott
Byington	Horchem	Taylor
Evans	Parker	Whitmore
Foskett	Reed	Wilson

Nays, 18.

Anderson	LeCompte	Ratcliff
Balkema	Meredith	Smith
Ball	Nelson	Stephenson
Buser	Newberry	Stoddard
Fellows	Proudfoot	Thompson
Frailey	Rainbow	White

Absent or not voting, 14.

Broxam	Hale	Pitt
Cessna	Kimball	Price
Coburn	Kimberly	Shane
Edwards	Kingland	Van Alstine
Foster	Mitchell	

So the bill, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

On motion of Senator Parker, House File No. 12, a bill for an act to amend chapter two hundred ninety (290) of the laws of the Thirty-seventh General Assembly relating to vocational education, to appropriate funds for state aid in affording such education and to provide for the expense of administration thereof, with report of committee recommending amendments and passage, was taken up, considered and the report of the committee adopted.

The following committee amendments were adopted:



Amend by striking out the word "thirty" in line four (4) of Section five-a (5-a) and inserting in lieu thereof the word "forty" and by striking out the word "forty" in line five (5) of section five-a (5-a) and inserting in lieu thereof the word "fifty".

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

Senator Parker invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 29.

Adams	Foster	Reed
Anderson	Holdoegel	Rule
Arney	Horchem	Scott
Balkema	Kingland	Stephenson
Ball	Mitchell	Stoddard
Brookhart	Newberry	Taylor
Byington	Parker	Van Alstine
Coburn	Proudfoot	White
Fellows	Rainbow	Whitmore
Foskett	Ratcliff	

Nays, 12.

Broxam	Greenell	Nelson
Buser	Kimberly	Smith
Evans	LeCompte	Thompson
Fralley	Meredith	Wilson

Absent or not voting, 9.

Cessna	Haskell	Price
Edwards	Kimball	Schaffter
Hale	Pitt	Shane

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

Senator Parker moved that the vote by which House File No. 12 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### MOTION TO RECONSIDER CALLED UP.

Senator Arney called up his motion filed to reconsider the vote by which House File No. 547, a bill for an act to amend the law

as it appears in section 4, chapter 428, acts of the 37th General Assembly of Iowa, and section 5, chapter 428, acts of the 37th General Assembly of Iowa, and section 2, chapter 412, acts of the 37th General Assembly of Iowa, and section 1744, supplement to the code, 1913, and section 1745, supplement to the code, 1913, and section 1783-a, supplement to the code, 1913, and section 1783-d, supplement to the code, 1913, and section 1783-e, supplement to the code, 1913, and section 1790 of the code, and section 1813 of the code; also to repeal the law as appears in sub-division 1, section 1709, supplement to the code, 1913, as amended by section 1, chapter 428, acts of the 37th General Assembly of Iowa, and to enact a substitute therefor; also to enact a law regulating the investment of the assets of insurance companies and associations, and to provide for the compensation of special insurance examiners; all relating to and providing for certain regulations of all kinds of insurance companies authorized to transact business in the state of Iowa, passed the Senate and also the vote by which the bill passed to its third reading.

The motion to reconsider prevailed.

Senator Arney offered the following amendment and moved its adoption:

Amend House File Five Hundred Forty-seven (547) by striking out of line nine (9) in section thirteen (13) all that part of said paragraph following the word "company" in said line nine (9), and by striking out the comma "," following the word "company" and inserting a period "." in lieu thereof.

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Adams	Evans	Kimberly
Anderson	Fellows	Kingland
Arney	Foskett	LeCompte
Ball	Foster	Meredith
Brookhart	Greenell	Mitchell
Broxam	Haskell	Nelson
Buser	Holdoegel	Newberry
Byington	Horchem	Parker

Proudfoot	Scott	Thompson
Rainbow	Smith	Van Alstine
Ratcliff	Stephenson	White
Reed	Stoddard	Wilson
Rule	Taylor	

Nays, none.

Absent or not voting, 12.

Balkema	Fralley	Price
Cessna	Hale	Schaffter
Coburn	Kimball	Shane
Edwards	Pitt	Whitmore

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 Parker, House File No. 347, a bill for an act making an appropriation for the care and comfort of Iowa's returning soldiers and sailors, with report of committee recommending amendments and passage was taken up, considered and the report of the committee adopted.

The following committee amendments were adopted:

Amend House File No. 347 by inserting after the word "cities" in line ten (10) of Section one (1) thereof the words "or Chicago" and by inserting after the word "state" in line eight (8) of Section Two (2) thereof the words "one of whom shall be a resident of New York and one a resident of Chicago".

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 39.

Adams	Foster	Rainbow
Anderson	Greenell	Reed
Arney	Haskell	Rule
Balkema	Holdoegel	Schaffter
Ball	Horchem	Scott
Brookhart	Kingland	Smith
Broxam	LeCompte	Stephenson
Buser	Meredith	Stoddard
Byington	Mitchell	Taylor
Coburn	Nelson	Van Alstine
Evans	Newberry	White
Fellows	Parker	Whitmore
Foskett	Proudfoot	Wilson

Nays, none.

Absent or not voting, 11.

Cessna	Kimball	Ratcliff
Edwards	Kimberly	Shane
Fralley	Pitt	Thompson
Hale	Price	

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 Stoddard, House File No. 528, a bill for an act to amend section thirty-two hundred sixty-n (3260-n) of the supplement to the code, 1913, increasing the annual appropriation for paying the expenses of inspecting institutions in which insane persons are kept, with report of committee recommending passage, was taken up, considered and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 32.

Adams	Foster	Reed
Anderson	Holdoegel	Rule
Arney	Horchem	Schaffter
Balkema	Kingland	Scott
Ball	LeCompte	Stephenson
Byington	Meredith	Stoddard
Coburn	Mitchell	Van Alstine
Edwards	Newberry	White
Evans	Parker	Whitmore
Fellows	Proudfoot	Wilson
Foskett	Rainbow	

Nays, 2.

Buser	Nelson
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Absent or not voting, 16.

Brookhart	Haskell	Ratcliff
Broxam	Kimball	Shane
Cessna	Kimberly	Smith
Fralley	Pitt	Taylor
Greenell	Price	Thompson
Hale		

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 Evans, Senate File No. 282, a bill for an act providing for the standardization of rural schools and granting state aid and providing for an appropriation therefor, with report of committee recommending amendments and passage, was taken up, considered and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

SECTION 1. Any school maintained by a district wholly outside a city, town or village corporation or consolidated independent district which has complied with the provisions of this act shall be known as a standard school. Every standard school before it may be designated as such shall have been maintained for nine school months during the previous year and shall conduct school for nine months of each succeeding year. It shall have a suitable school house, grounds, and outbuildings in proper condition and repair; be equipped with needful apparatus, textbooks, supplies; an adequate system of heating and ventilation; have done efficient work and have complied with such requirements as shall be specified by the superintendent of public instruction.

SEC. 2. It shall be the duty of the superintendent of public instruction to prescribe and promulgate the requirements he shall deem necessary for standard schools as to minimum requirements for standards of teaching, general equipment, heating and ventilation, lighting, seating, water supply, library, care of grounds, safety against fire, and such other requirements as will conserve the health, safety and welfare of the children attending school; and prescribe such other requirements as he shall deem necessary for the upbuilding and improvement of such schools.

SEC. 3. On or before June 30th of each year and at such other times as the superintendent of public instruction may direct the county superintendent of schools shall make reports and furnish such other data in regard to said schools as the department of public instruction may desire on blanks to be furnished by the superintendent of public instruction.

SEC. 4. State aid shall be given to rural districts maintaining one or more standard schools to the amount of six dollars (\$6.00), for each pupil who has attended said schools in said district at least six months of the previous year.

SEC. 5. No school shall be deemed a standard school unless the teacher is the holder of a first grade uniform county certificate or its equivalent, has contracted for the entire school year, and unless such school shall have maintained an average daily attendance of at least ten pupils.

SEC. 6. Each standard school shall be furnished by the superintendent of public instruction with a suitable door plate or mark of identification and the expense of the same shall be paid from the fund created by this act for the promotion of standard schools.

SEC. 7. Upon receiving from the county superintendent a satisfactory report showing that any rural school has fulfilled the requirements of a standard school, the superintendent of public instruction shall issue a requisition upon the auditor of state for the amount due any rural school district entitled to state aid for the school year just past; whereupon the auditor of state shall draw a warrant on the treasurer of state payable to the secretary of the school corporation entitled thereto and forwarded to the secretary of said school corporation who shall cause the same to be deposited with the other funds of the district. The money shall be expended in the district or districts maintaining standard schools in amounts proportionate to the number of pupils upon which state aid was granted. The secretary shall issue a warrant in favor of the teacher to the amount of one-half the subsidy due each such school and the school board shall, with the assistance of the county superintendent, expend the remainder in improvements and necessary apparatus. If more than one teacher is employed in a school the amount shall be apportioned between them according to the time of their employment.

SEC. 8. For the purpose of carrying out the provisions of this act there is hereby appropriated out of any money in the state treasury not otherwise appropriated the sum of one hundred thousand dollars (\$100,000.00) annually, which fund if not all used shall be allowed to accumulate, and shall not be turned back into the state treasury nor used for any purpose other than herein provided.

Senator Evans 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 vote was:

Ayes, 36.

Adams	Foster	Ratcliff
Anderson	Greenell	Reed
Arney	Horchem	Rule
Ball	Kimberly	Schaffter
Broxam	Kingland	Scott
Buser	Meredith	Smith
Byington	Mitchell	Stephens
Coburn	Nelson	Stoddard
Edwards	Newberry	Thompson
Evans	Parker	Van Alstine
Fellows	Pitt	Whitmore
Foskett	Rainbow	Wilson

Nays, 2.

Balkema	LeCompte
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Absent or not voting, 12.

Brookhart  
Cessna  
Fralley  
Hale

Haskell  
Holdoegel  
Kimball  
Price

Proudfoot  
Shane  
Taylor  
White

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

#### SENATE FILE WITHDRAWN.

By unanimous consent, Senator Stoddard withdrew Senate File No. 176 from further consideration.

President pro tem Arney was called to the chair at 10:45 a. m.

#### CONCURRENT RESOLUTION.

Senator Parker offered the following concurrent resolution:

*Be It Resolved* By the Senate, the House concurring, that the President Pro Tempore of the Senate, and the Speaker Pro Tempore of the House appoint a committee of five members, two from the Senate and three from the House, for the purpose of providing the President of the Senate and the Speaker of the House each with one chair and gavel or such other appropriate token as to the committee may seem proper, in recognition of the fair and impartial manner in which they have discharged the arduous duties of their offices.

By unanimous consent, the resolution was taken up, considered and adopted.

The President pro tem appointed as such committee on the part of the Senate, Senators Parker and Stoddard.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 51, a bill for an act to amend section one thousand five hundred seventy-b-two (1570-b-2) supplement to the code, 1913, relating to the levy of taxes by township trustees for dragging purposes.

Also:

Senate File No. 504, a bill for an act to amend section Nine Hundred Sixteen (916) of the Supplement to the Code, 1913, relating to plats of additions in cities and towns.

Also:

Senate File No. 491, a bill for an act to amend the law as it appears in Section 1824 of the Code, relating to fraternal beneficiary societies, and providing who may be beneficiaries under certificates issued by such societies.

Also:

Senate File No. 332, a bill for an act providing for the erection of a Detention or Contagious Disease Hospital and the issuance of bonds covering the costs thereof, and providing for a tax levy to pay such bonds and the interest thereon.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter 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. 51, a bill for an act to amend section one thousand five hundred seventy-two (1570-b-2) supplement to the code, 1913, relating to the levy of taxes by township trustees for dragging purposes.

Also:

Senate File No. 504, a bill for an act to amend section Nine Hundred Sixteen (916) of the Supplement to the Code, 1913, relating to plats of additions in cities and towns.

Also:

Senate File No. 491, a bill for an act to amend the law as it appears in Section 1824 of the Code, relating to fraternal beneficiary societies, and providing who may be beneficiaries under certificates issued by such societies.

Also:

Senate File No. 332, a bill for an act providing for the erection of a Detention or Contagious Disease Hospital and the issuance of bonds covering the costs thereof, and providing for a tax levy to pay such bonds and the interest thereon.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.



## THIRD READING OF BILLS.

On motion of Senator Foster, House File No. 31, a bill for an act authorizing the independent school district of Bouton in Dallas County, Iowa, to issue its warrants in excess of the funds available and authorizing a tax levy to pay the same, with report of sifting committee recommending passage, was taken up and considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Adams	Fralley	Ratcliff
Anderson	Horchem	Reed
Arney	Kimberly	Rule
Ball	Kingland	Schaffter
Broxam	LeCompte	Scott
Buser	Meredith	Stephenson
Byington	Mitchell	Stoddard
Coburn	Nelson	Thompson
Edwards	Newberry	Van Alstine
Evans	Proudfoot	White
Fellows	Pitt	Whitmore
Foskett	Rainbow	Wilson
Foster		

Nays, none.

Absent or not voting, 13.

Balkema	Haskell	Price
Brookhart	Holdoegel	Shane
Cessna	Kimball	Smith
Greenell	Parker	Taylor
Hale		

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

## MOTION TO RECONSIDER CALLED UP.

Senator Wilson called up the motion filed to reconsider the vote by which Senate No. 498, a bill for an act to amend chapter ten (10), title three (3) of the code relating to attorneys and counselors and the practice of law and prescribing the duties of attorneys and counselors and the practice of law and prescribing the

duties of attorneys and counselors and making it unlawful for corporations to act as attorneys at law or to give legal advice and providing penalties for the violation of this act, passed the Senate and also the vote by which it passed to its third reading.

The motion to reconsider prevailed.

Senator Wilson offered the following amendment and moved its adoption:

Amend Senate File No. 498 by inserting after the word "remedy" in line fifty-seven (57) the following:

"Provided however that nothing in this section shall be construed as forbidding the furnishing of free advice or the rendering of free services on the part of any corporation, officer, trustee, director or employee of such corporation".

Also by striking the words "any corporation violating the provisions of this section shall be liable to a fine of not more than five thousand dollars and" in lines fifty-seven (57) fifty-eight (58) and fifty-nine (59) of section two (2) and inserting a capital letter for the small letter E, the first letter of the word "every" in line fifty-nine (59).

The amendment was adopted.

Senator Ball offered the following amendment and moved its adoption:

Amend by adding as section three the following:

"in case any person admitted to the practice of law according to the provisions of the Iowa law engages in the business of buying and selling real estate for a consideration or for profit, or the business of writing insurance for compensation or fee or negotiating loans of money for compensation or a commission thereon, they shall be subject to the penalties as above provided by the provisions of this act."

Senator Kingland raised the point of order that the amendment was not germane to the bill.

The point was held to be not well taken.

On the question, "Shall the amendment offered by Senator Ball be adopted?" the vote was:

Ayes, 5.

Ball  
Buser

Edwards  
Nelson

Smith

## Nays, 30.

Anderson	Haskell	Rule
Arney	Horchem	Ratcliff
Balkema	Kimberly	Reed
Brookhart	Kingland	Schaffter
Coburn	LeCompte	Wilson
Evans	Mitchell	White
Foskett	Newberry	Whitmore
Foster	Pitt	Scott
Frailey	Proudfoot	Stephenson
Greenell	Rainbow	Thompson

## Absent or not voting, 15.

Adams	Hale	Price
Broxam	Holdoegel	Shane
Byington	Kimball	Stoddard
Cesana	Meredith	Taylor
Fellows	Parker	Van Alstine

The amendment was lost.

Senator Wilson 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 vote was:

## Ayes, 32.

Adams	Fellows	Ratcliff
Anderson	Foskett	Reed
Arney	Foster	Rule
Balkema	Frailey	Schaffter
Brookhart	Greenell	Scott
Broxam	Horchem	Stoddard
Buser	LeCompte	Thompson
Byington	Mitchell	White
Coburn	Newberry	Whitmore
Edwards	Proudfoot	Wilson
Evans	Rainbow	

## Nays, 5.

Ball	Nelson	Taylor
Meredith	Smith	

## Absent or not voting, 13.

Cesana	Kimberly	Shane
Hale	Kingland	Stephenson
Haskell	Pitt	Van Alstine
Holdoegel	Price	White
Kimball		

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

Senator Wilson moved that the vote by which Senate File No. 498 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Frailey, Senate File No. 505 by the insurance committee, a bill for an act relating to insurance; requiring that certain insurance concerns adopt insurance bureau ratings, or maintain or co-operate in maintaining and operating insurance rate making bureaus; providing for the organization, operation supervision of such insurance rate-making bureaus; authorizing the supervision and examination of such rating bureaus by the Commissioner of Insurance; providing for an inspection and survey by such bureaus to furnish copies of surveys, rates fixed, and defects found; directing the Commissioner of Insurance to appoint inspectors to inspect properties and check up surveys; authorizing a hearing upon and review of the rates fixed by any such bureau for insurance upon property within the State of Iowa; prohibiting discrimination in fixing and collecting insurance rates, forbidding rebates of premiums paid under such rates, fixing penalties for the violation of this Act; and appropriating state funds for carrying out its provisions, with report of committee on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Schaffter was called to the chair at 11:20.

Senator Frailey raised the point of order that debate was now out of order.

The point was held to be well taken.

Senator Frailey 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.

Senator Frailey invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

## Ayes, 27.

Adams	Haskell	Scott
Anderson	Holdoegel	Smith
Ball	Kimberly	Stephenson
Brookhart	Mitchell	Thompson
Buser	Pitt	Van Alstine
Evans	Proudfoot	White
Fellows	Rainbow	Whitmore
Foskett	Reed	Wilson
Frailey	Schaffter	
Greenell		

## Nays, 15.

Arney	Edwards	Newberry
Balkema	Horchem	Ratcliff
Broxam	LeCompte	Rule
Byington	Meredith	Stoddard
Coburn	Nelson	Taylor

## Absent or not voting, 8.

Cessna	Kimball	Price
Foster	Kingland	Shane
Hale	Parker	

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

Senator Frailey moved that the vote by which Senate File No. 505 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

President Moore resumed the chair at 12:15 p. m.

## MOTION TO RECONSIDER FILED.

I move to reconsider the vote by which House Joint Resolution No. 4 passed the Senate.

H. I. FOSKETT.

I move to reconsider the vote by which House Joint Resolution No. 4 went to its third reading.

H. I. FOSKETT.

## AMENDMENTS FILED.

Amend House Joint Resolution No. 4 by inserting after the comma following the word "foundry" in Line five (5) of Paragraph Two (2) of the preamble, the words, "a dormitory for women," and by inserting after the word "foundry" in Line six (6) of Paragraph Three (3) of the preamble

a comma (,) and the words "a dormitory for women," and by inserting after the semi-colon (;) in Line Three (3) of Section Two (2) the words "a dormitory for women to cost not to exceed Ninety Thousand Dollars (\$90,000.00)".

H. I. FOSKETT.

On motion of Senator Anderson, Senate adjourned until 1:30 p. m. today.

### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

### CORRECTION OF JOURNAL.

The journal of April 12th was corrected and approved.

### THIRD READING OF BILLS.

On motion of Senator Foskett, House File No. 342, a bill for an act to amend section twenty-seven hundred ninety-four-g (2794-g), Supplemental Supplement to the Code, 1915, relating to annual appropriation for state aid to consolidated schools, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 31.

Adams	Foskett	Ratcliff
Anderson	Foster	Rule
Balkema	Haskell	Schaffter
Ball	Holdoegel	Scott
Broxam	Horchem	Stephenson
Buser	Kingland	Stoddard
Byington	Mitchell	Taylor
Coburn	Nelson	Van Alstine
Edwards	Price	Whitmore
Evans	Rainbow	Wilson
Fellows		

Nays, none.

Absent or not voting, 19.

Arney	Kimberly	Proudfoot
Brookhart	LeCompte	Reed
Cesana	Meredith	Shane
Fralley	Newberry	Smith
Greenell	Parker	Thompson
Hale	Pitt	White
Kimball		

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 Haskell, House File No. 335, a bill for an act to establish a State Live Stock Sanitary Board of Iowa and to provide for the control and suppression of dangerous contagious infectious diseases of domestic animals and for the inspection of live stock imported into the state for breeding, work or dairy purposes; also to provide for the payment of indemnity in co-operation with the Federal Government, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 41.

Adams	Haskell	Rainbow
Anderson	Holdoegel	Ratcliff
Arney	Horchem	Rule
Balkema	Kimberly	Schaffter
Broxam	Kingland	Scott
Byington	LeCompte	Smith
Coburn	Meredith	Stephenson
Edwards	Mitchell	Stoddard
Evans	Nelson	Thompson
Fellows	Newberry	Van Alstine
Foskett	Parker	White
Foster	Pitt	Whitmore
Fralley	Price	Wilson
Greenell	Proudfoot	

Nays, 3.

Ball	Buser	Taylor
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Absent or not voting, 6.

Brookhart  
Cessna

Hale  
Kimball

Reed  
Shane

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

Senator Schaffter offered the following amendment to the title and moved its adoption:

Amend the title to H. F. No. 335 by striking out the period at the end thereof and adding the following:

" , and making an appropriation therefor."

The amendment was adopted and the title as amended was agreed to.

Senator Coburn moved that the vote by which House File No. 335 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Foskett, Senate File No. 203, a bill for an act making appropriations for the State University of Iowa, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers College, the Iowa College for the Blind, and the Iowa School for the Deaf, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent, on request of Senator Foskett, the word "seventy-one" in line 3 of section one of the committee amendment, was changed to "seventy-two"; also the figures ("\$371,500.00") were struck out and the figures "(\$372,500,00)" were inserted in lieu thereof.

The following committee amendments were adopted:

Strike out all after the enacting clause and substitute the following in lieu thereof:

SECTION 1. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, to the State University of Iowa, the sum of three hundred seventy-two thousand five hundred dollars (\$372,500.00) annually for each year of the biennium beginning July 1, 1919, for the following purposes:



Education support .....	\$100,000.00
College of medicine .....	50,000.00
College of dentistry .....	10,000.00
College of education .....	10,000.00
Graduate college .....	20,000.00
College of fine arts .....	5,000.00
Summer school .....	20,000.00

Of this amount, \$16,000 is not to be available unless the attendance materially exceeds the enrollment in the 1917 summer school.

Equipment and supplies .....	7,000.00
Repairs and contingent .....	13,000.00
Department of buildings and grounds .....	15,500.00
Administration .....	8,000.00
Library .....	12,500.00
School of commerce .....	25,000.00
Nurses training and public health nursing .....	20,000.00
Soldier tuition .....	30,000.00

Out of this appropriation, the State University is to receive, for each honorably discharged soldier or sailor of the United States who enrolls in any college of the institution, \$10 for each semester and \$10 for each summer school.

University extension for social welfare and public health education .....	\$21,000.00
Epidemiology and laboratory .....	5,000.00

The annual appropriations provided for in this section shall be paid on the order of the Iowa State Board of Education in monthly installments beginning July 1, 1919, with the exception of the appropriation for summer school (\$20,000.00), which shall be available July 1, 1919, and on July 1st of each year thereafter for the biennial period.

Sec. 2. There is further appropriated, out of any money in the state treasury not otherwise appropriated, to the state university of Iowa for the biennium beginning July 1, 1919, the sum of one hundred twenty-five thousand dollars (\$125,000.00) for the following purposes:

Equipment of buildings and buildings partially equipped.....	\$100,000.00
Paving sidewalks and sewer .....	25,000.00

The special appropriations provided for in this section shall be paid on the order of the Iowa State Board of Education, but not more than one-half of the entire amount shall be available before July 1, 1920.

Sec. 3. 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 three hundred seventeen thousand dollars (\$317,000.00) annually for each year of the biennium beginning July 1, 1919, for the following purposes:

Permanent collegiate support fund.....	\$148,000.00
Summer session .....	5,000.00

Subcollegiate courses in agriculture, home economics and engineering ..... 15,000.00

Of this amount, \$12,000 is not to be available unless the attendance materially exceeds that of the academic years 1916-1917.

Contingent fund, repairs and minor improvements.....	4,000.00
Library, books and periodicals .....	10,000.00
Maintenance and improvements of public grounds .....	5,000.00
Soldier tuition .....	30,000.00
	<hr/>
	\$217,000.00

Out of this appropriation, the Iowa State College is to receive for each honorably discharged soldier or sailor of the United States who enrolls in the institution, \$10 for each semester, and \$10 for each summer school, and for industrial service work as follows:

Engineering experiment station .....	10,000.00
Agricultural experiment station .....	75,000.00

\$50,000 of this appropriation is to be used for soils survey work.

Agriculture and home economics extension .....	10,000.00
Trade school and engineering extension .....	5,000.00
	<hr/>
Total .....	\$317,000.00

The annual appropriations provided for in this section shall be paid on the order of the Iowa State Board of Education in monthly installments beginning July 1, 1919, with the exception of the appropriation for summer session (\$5,000.00), which shall be available July 1, 1919, and on July 1st of each year thereafter for the biennial period.

Sec. 4. There is further appropriated, out of any money in the state treasury not otherwise appropriated, to the Iowa State College of Agriculture and Mechanic Arts, for the biennium beginning July 1, 1919, the sum of one hundred forty-one thousand dollars (\$141,000.00) for the following purposes:

Equipment and furnishings for buildings and departments....	\$75,000.00
Enlargement of buildings and small additional buildings .....	20,000.00
Extension of heating system and equipping of heating plant..	26,000.00
Sewer construction .....	5,000.00
Repairs and improvements of stock barns, judging pavilions, and fences .....	15,000.00

The special appropriations provided for in this section shall be paid on the order of the Iowa State Board of Education, but not more than one-half of the entire amount shall be available before July 1, 1912, with the exception of the appropriation for sewer construction, (\$5,000.00), which is to be available July 1, 1919.

Sec. 5. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, to the Iowa State Teachers College, the sum of one hundred fifty-four thousand five hundred dollars (\$154,500.00) annually for each year of the biennium beginning July 1, 1919, for the following purposes:

Teachers fund .....	\$50,000.00
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Of this amount, \$10,000 is not to be available unless the attendance, not including the summer school, materially exceeds the enrollment of the academic years 1916-1917

Summer term fund .....	4,000.00
Contingent and repair .....	49,500.00
Library .....	5,000.00
Librarian's Salary fund .....	3,000.00
Hospital fund .....	3,000.00
Extension service fund .....	20,000.00
Extension summer schools .....	20,000.00

The annual appropriations provided for in this section shall be paid on the order of the Iowa State Board of Education in monthly installments beginning July 1, 1919, with the exception of the appropriations for summer term (\$4,000.00) and for extension summer schools (\$20,000.00), which amounts are to be available July 1, 1919, and on July 1st of each year thereafter for the biennial period.

Sec. 6. There is further appropriated, out of any money in the state treasury not otherwise appropriated, to the Iowa State Teachers College, for the biennium beginning July 1, 1919, the sum of five thousand dollars (\$5,000.00) for the following purpose:

Paving and sidewalks .....	\$5,000.00
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The special appropriation provided for in this section shall be available July 1, 1919, and be paid on the order of the Iowa State Board of Education.

Sec. 7. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, to the Iowa College for the Blind, the sum of sixteen thousand dollars (\$16,000.00) annually for each year of the biennium beginning July 1, 1919, for the following purposes:

Support fund .....	\$15,000.00
Repair and contingent fund .....	1,000.00

The annual appropriations provided for in this section shall be paid on the order of the Iowa State Board of Education in monthly installments beginning July 1, 1919, for the biennial period.

Sec. 8. There is further appropriated, out of any money in the state treasury not otherwise appropriated, to the Iowa College for the Blind, for the biennium beginning July 1, 1919, the sum of twelve thousand dollars (\$12,000.00) for the following purposes:

Piano and furniture .....	\$5,000.00
Sundry improvements .....	5,000.00
Equipment .....	1,500.00

The special amounts provided for in this section shall be available July 1, 1919, and be paid on the order of the Iowa State Board of Education.

Sec. 9. There is hereby appropriated, out of any money in the state treasury not otherwise appropriated, to the Iowa School for the Deaf, the sum of ninety thousand, five hundred dollars (\$90,500.00) annually for each year of the biennium beginning July 1, 1919, for the following purposes:

Support fund .....	\$90,000.00
Scholarships .....	500.00

The annual appropriations provided for in this section shall take the place and be in lieu of all other appropriations for support which have been made to the Iowa School for the Deaf prior to the convening of the 38th General Assembly; and they are to be paid on the order of the Iowa State Board of Education in monthly installments beginning July 1, 1919, for the biennial period.

Sec. 10. There is further appropriated, out of any money in the state treasury not otherwise appropriated, to the School for the Deaf, for the biennium beginning July 1, 1919, the sum of seventy-four thousand dollars (\$74,000.00) for the following purposes:

Reservoir for storage of water .....	\$ 1,500.00
Library and book binding .....	500.00
Additional coal bins .....	2,000.00
Improvement of main building .....	12,500.00
Equipment .....	5,000.00
Improvement of green house .....	2,500.00
Cottage for small children .....	50,000.00

The special appropriations provided for in this section shall be available July 1, 1919, and be paid on the order of the Iowa State Board of Education.

Senator Foskett 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 vote was:

Ayes, 33.

Adams  
Anderson  
Balkema  
Ball  
Broxam  
Byington

Coburn  
Edwards  
Evans  
Fellows  
Foskett  
Haskell

Holdoegel  
Hochem  
Kimberly  
Kingland  
Meredith  
Mitchell

Nelson  
Parker  
Price  
Rainbow  
Ratcliff

Rule  
Scott  
Stephenson  
Stoddard  
Taylor

Thompson  
Van Alstine  
White  
Whitmore  
Wilson

Nays, none.

Absent or not voting, 17.

Arney  
Brookhart  
Buser  
Cessna  
Foster  
Fralley

Greenell  
Hale  
Kimball  
LeCompte  
Newberry  
Pitt

Proudfoot  
Reed  
Schaffter  
Shane  
Smith

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

Senator Foskett moved that the vote by which Senate File No. 203 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Nelson, House File No. 510, a bill for an act to provide for establishing a warning card to be placed on any house, dwelling or place, regarding a communicable disease, where the attending physician is in doubt as to the proper diagnosis, or the householder or person having a communicable disease is in doubt as regards the diagnosis when no physician has been in attendance, was taken up and considered.

Senator Price offered the following amendment and moved its adoption:

Amend House File No. 510 by Newton, by striking out the period following the word "warning" in line 14 of section one (1) and inserting in lieu thereof a "comma" and adding thereto the following:

"Provided however that such temporary quarantine shall terminate within twenty-four hours after being in force".

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 33.

Adams	Fellows	Price
Anderson	Foskett	Rainbow
Balkema	Haskell	Ratcliff
Ball	Horchem	Reed
Brookhart	Kimberly	Rule
Broxam	Kingland	Schaffter
Buser	Meredith	Scott
Byington	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Parker	Van Alstine
Evans	Pitt	Wilson

Nays, none.

Absent or not voting, 17.

Arney	Holdoegel	Smith
Cessna	Kimball	Taylor
Foster	LeCompte	Thompson
Frailey	Newberry	White
Greenell	Proudfoot	Whitmore
Hale	Shane	

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 Price, Senate File No. 357, a bill for an act to provide for the levy and collection of tonnage tax on all coal mined and sold in Iowa, by coal mining companies and that the said tax shall be used for the support of schools where miners' children are educated, with report of committee recommending amendments and passage, was taken up, and considered, and the report of the committee adopted.

The following committee amendments were considered:

Amend by adding to said substitute: "provided, however, that no funds from this appropriation shall be paid to any district that has not levied upon the property within its district the maximum tax permitted for school purposes."

The amendment was lost.

Senator Price 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.

Senator Price invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

## Ayes, 29.

Arney	Greenell	Proudfoot
Ball	Haskell	Rainbow
Broxam	Holdoegel	Ratliff
Byington	Horchem	Rule
Coburn	LeCompte	Schaffter
Edwards	Meredith	Smith
Evans	Mitchell	Van Alstine
Fellows	Newberry	Whitmore
Foskett	Parker	Wilson
Fralley	Price	

## Nays, 10.

Anderson	Nelson	Stoddard
Balkema	Scott	Taylor
Foster	Stephenson	White
Kingland		

## Absent or not voting, 11.

Adams	Hale	Reed
Brookhart	Kimball	Shane
Buser	Kimberly	Thompson
Cessna	Pitt	

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

Senator Wilson offered the following amendment to the title and moved its adoption:

Amend the title by striking out all after the word "act" and inserting in lieu thereof the following:

"To provide for an appropriation of \$50,000 for relieving the situation in coal mining camps as to school facilities."

The amendment was adopted and the title as amended was agreed to.

Senator Price moved that the vote by which Senate File No. 357 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has refused to concur in the Senate amendments to the following bill, in which the concurrence of the House was asked:

House File No. 550, a bill for an act relating to registration of motor vehicles.

W. C. RAMSAY, *Chief Clerk.*

### THIRD READING OF BILLS.

On motion of Senator Greenell, House File No. 251, a bill for an act to amend title five (V), chapter nine (9), of the code, relating to park commissioners and board of public work, by repealing section eight hundred fifty-c (850-c) and eight hundred fifty-f (850-f), supplement to the code, 1913, and enacting substitute therefor, providing for additional funds for parks, with provisions for borrowing money and issuing bonds therefor, and for an acquisition of real estate and the permanent improvement thereof, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Alstine was called to the chair at 2:40.

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

Senator Horchem invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 27.

Anderson	Frailey	Rule
Arney	Greenell	Schaffter
Ball	Haskell	Scott
Broxam	Holdoegel	Stephenson
Byington	Horchem	Stoddard
Edwards	Kingland	Taylor
Evans	Parker	Van Alstine
Fellows	Price	Whitmore
Foster	Rainbow	Wilson

Nays, 1.

White

Absent or not voting, 22.

Adams	Cessna	Kimball
Balkema	Coburn	Kimberly
Brookhart	Foskett	LeCompte
Buser	Hale	Meredith



Mitchell  
Nelson  
Newberry  
Pitt

Proudfoot  
Ratcliff  
Reed

Shane  
Smith  
Thompson

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 Schaffter, 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. 49, a bill for an act to repeal the law as it appears in section twenty-three hundred forty-eight (2348), supplement to the code, 1913, and to enact a substitute for the law repealed, and to provide for a bounty for the destruction of wolves, lynx and wild cats.

Also:

House File No. 225, a bill for an act to prevent the spread of hog cholera and other diseases; regulating the business of disposing of the bodies of dead animals by the process of cooking, burying, or burning; providing for the issuance of licenses to persons, firms, and corporations, permitting them to follow such business; providing for the violation of any of its provisions and repealing conflicting laws.

Also:

House File No. 252, a bill for an act to repeal section seven hundred forty-one-f (741-f), supplement to the code, 1915, as amended by chapter one hundred eighty-two (182) and chapter two hundred twenty (220), of the acts of the thirty-seventh general assembly, 1917, relating to the limit of indebtedness in the issuance of city or town hall bonds, and to enact the following in lieu thereof.

Also:

House File No. 264, a bill for an act to amend section 254-a23 of the supplement to the code, 1913, relating to juvenile courts.

Also:

House File No. 357, a bill for an act authorizing the issuance of sewer bonds by cities and towns, including cities operating under the commission form of government.

Also:

House File No. 436, a bill for an act to repeal sections two hundred eighty-b (280-b), supplement to the code, 1913, and to enact substitutes in lieu thereof, in relation to superior court jurors.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate Files Nos. 51, 504, 491 and 332.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 14th day of April, 1919, sent to the governor for his approval, Senate File No. 51, a bill for an act to amend section one thousand five hundred seventy-b-two (1570-b-2) supplement to the code, 1913, relating to the levy of taxes by township trustees for dragging purposes.

Also:

Senate File No. 504, a bill for an act to amend section Nine Hundred Sixteen (916) of the Supplement to the Code, 1913, relating to plats of additions in cities and towns.

Also:

Senate File No. 491, a bill for an act to amend the law as it appears in Section 1824 of the Code, relating to fraternal beneficiary societies, and providing who may be beneficiaries under certificates issued by such societies.

Also:

Senate File No. 332, a bill for an act providing for the erection of a Detention or Contagious Disease Hospital and the issuance of bonds covering the costs thereof, and providing for a tax levy to pay such bonds and the interest thereon.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

## SENATE INSISTS ON AMENDMENTS.

Senator Evans called up House File No. 550, the Motor Vehicle bill, the House having refused to concur in the Senate amendments.

Senator Evans moved that the Senate insist on its amendments.

The motion prevailed and the president appointed as a conference committee on the part of the Senate, Senators Taylor, Scott, Evans and Schaffter.

## CALL OF THE SENATE.

The following call of the Senate was filed :

April 14, 1919.

We, the undersigned senators, request a call of the Senate on all matters relating to House File No. 550.

W. T. EVANS,  
GEO. W. BALL,  
EUGENE SCHAFFTER,  
E. E. MITCHELL,  
T. E. TAYLOR,  
JNO. R. PRICE,  
W. C. RATCLIFF,  
CHESTER W. WHITMORE,  
N. BALKEMA,  
B. M. STODDARD,  
J. M. WILSON,  
J. L. BROOKHART,  
M. B. PITT,  
H. C. WHITE,  
ADDISON M. PARKER.

On motion of Senator Holdoegel, Senate went into executive session.

Senate arose from executive session and resumed regular session.

## EXPLANATION OF VOTE.

Desiring to explain my vote upon Senate File No. 498, I offer the following explanation:

During the consideration of Senate File No. 498 upon the floor, I inadvertently made the statement that if the bill was amended in a certain manner I would vote for it. The bill was so amended and while the

amendment did not remove the objectionable features of the bill I considered myself in honor bound to vote for the bill, which, otherwise, I would certainly have voted against and opposed upon the floor of the Senate.

J. D. BUSER.

#### INTRODUCTION OF BILLS.

By committee on departmental affairs, Senate File No. 538, a bill for an act to amend section two thousand five hundred thirty-nine (2539), supplemental supplement to the code, 1915, and amending title twelve (XII), chapter fifteen (15), supplemental supplement to the code, 1915, relating to the appointment of the state fish and game warden and prohibiting political activity or contributions by any warden, deputy warden or employe of such department, and prohibiting the solicitation of political contributions from such warden, deputy or employe, and providing penalty for violation of such prohibitions.

Read first and second time and passed on file.

#### MESSAGES FROM THE HOUSE.

The following message was received from the House:

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

Senate File No. 390, a bill for an act in relation to the publication of notice of sale of property for delinquent taxes.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 158, a bill for an act to amend section two thousand seven hundred twenty-seven-three a (2727-3a) supplement to the code, 1913, providing for salaries of chief executives of certain state institutions.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 for the purpose of having a patent issue in the name of Ransom L. Hogate for a certain tract of land.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 565, a bill for an act to amend section seven hundred twenty (720), Supplement to the Code, 1913, granting cities under ten thousand (10,000) population owning their own water plant the right to utilize the exhaust steam and excess power in the manufacture of artificial ice.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 469, a bill for an act to amend section twenty-five hundred and forty (2540) of the Supplemental Supplement to the Code of 1915, providing for taking fish from the waters of the State for food purposes with pole and line, at any time.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 397, a bill for an act to amend the law as it appears in section two thousand five hundred forty (2540), supplemental supplement to the code, 1915, relating to the propagation of fish.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 provide for surveys authorized by Congress of the United States in the State of Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 499, a bill for an act to encourage horticulture and allied industries of the State of Iowa through an annual exposition and to make an appropriation therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

I 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. 214, a bill for an act to repeal section seven hundred thirty-seven-a (737-a), supplement to the code, 1913, and to enact a substitute therefor empowering the state board of health to draft a code regulating the business of plumbing, requiring all cities having sanitary sewerage systems or other systems of domestic sewage disposal, including cities acting under the commission form of government and special charter cities, to regulate the business of plumbing; to make rules and regulations for the installation of same; to create a board of examiners of plumbers in cities having a sanitary sewerage system or other system of domestic sewage disposal; to issue certificates, or licenses, to persons, firms or corporations desiring to engage in the business of plumbing who are properly qualified; to provide for the removal of plumbing installed in violation of the manner prescribed, and providing for punishment for a violation of the terms of this act.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 529, a bill for an act to repeal section three thousand four hundred and fifteen (3415) of the code, and enacting a law in lieu thereof relating to compensation of executors, administrators and attorneys in the settlement of estates.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 188, a bill for an act to amend Section eight-hundred ninety-four (894), Supplement to the Code, 1913, in paragraph three (3) thereof, in relation to sewer fund levied annually by cities.

#### HOUSE AMENDMENTS.

Amend by inserting the word "supplemental" after the comma (,) in line one of the title and by changing "1913" to "1915" in the second line

of the title; also by inserting after the comma (,) at the end of line one of Section one the word "supplemental" and in the second line of Section one by changing "1913" to "1915".

Also amend by striking out the word "Section" where the same appears in line four of said bill and inserting in lieu thereof the word "paragraph". Strike out the word "Section" in line six of said bill and insert the word "paragraph" in lieu thereof. Strike out the word "Section" where it appears in line ten of said bill and insert the word "paragraph" in lieu thereof. Strike out the word "Section" where it appears in line twelve of said bill and insert the word "paragraph" in lieu thereof.

Also, amend by adding, following the period at the end of Section one of said bill the following: "This act shall also apply to all cities under special charter and cities under commission form of government."

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 186, a bill for an act to create an Iowa State Board of Engineering Examiners; to provide for the examination and registration of professional engineers and land surveyors; and to fix penalties for the violation of this act.

#### HOUSE AMENDMENT.

Amend by inserting after the word "contractor" in line twenty-eight of section 3, the following words, "or the construction, improving, or extending of private drains or drainage works, private irrigation works, private water supply works, or other works of a private nature", and by adding after the period in sub-division "d" of section 3 of said bill, the following, "the surveying of lands for the purpose of subdividing or determining boundary lines where no contest is involved shall not be deemed to be the practice of land surveying within the meaning of this act."

W. C. RAMSAY, *Chief Clerk.*

#### MOTION TO RECONSIDER FILED.

I move to reconsider the vote by which Senate File No. 291 failed to pass the Senate.

BYRON W. NEWBERRY,

On motion of Senator Wilson, Senate adjourned until 9:00 a. m. Tuesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 15, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. W. C. Cole, pastor of Capitol Hill Church of Christ of Des Moines.

## HOUSE FILE 335 RECALLED FROM HOUSE.

Senator Wilson moved that House File No. 335 be recalled from the House.

The motion prevailed.

## HOUSE MESSAGES CONSIDERED.

House File No. 529, a bill for an act to provide for surveys authorized by Congress of the United States in the State of Iowa.

Read first and second time and referred to sifting committee.

House File No. 565, a bill for an act to amend section seven hundred twenty (720), Supplement to the Code, 1913, granting cities under ten thousand (10,000) population owning their own water plant the right to utilize the exhaust steam and excess power in the manufacture of artificial ice.

Read first and second time and referred to sifting committee.

House File No. 397, a bill for an act to amend the law as it appears in section two thousand five hundred forty (2540), supplemental supplement to the code, 1915, relating to the propagation of fish.

Read first and second time and referred to sifting committee.



## MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House requests the return of House File No. 397.

W. C. RAMSAY, *Chief Clerk.*

On motion of Senator Haskell, the request was granted.

## THIRD READING OF BILLS.

On motion of Senator Whitmore, Senate Joint Resolution No. 10, a joint resolution requiring the president of the Senate and the Speaker of the House to appoint a joint legislative committee to meet with the state highway commission and confer in the matter of highway improvements under the federal aid act, and making provision for the compensation and expenses of said committee, was taken up and considered.

The joint resolution was read for information.

Senator Smith moved the previous question, which motion prevailed and the previous question was ordered.

Senator Whitmore moved that the rules be suspended, and the joint resolution be considered engrossed, and read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, "Shall the joint resolution be adopted?" the vote was:

Ayes, 8.

Anderson  
Arney  
Balkema

Byington  
Parker  
Stoddard

White  
Whitmore

Nays, 34.

Ball  
Brookhart  
Broxam  
Buser  
Cesana  
Coburn  
Edwards  
Evans  
Fellows

Foster  
Greenell  
Haskell  
Horchem  
Kimball  
Kimberly  
Kingland  
Meredith  
Mitchell

Nelson  
Newberry  
Pitt  
Price  
Proudfoot  
Rainbow  
Ratcliff  
Reed  
Rule

Schaffter  
Scott  
Shane

Smith  
Stephenson

Taylor  
Wilson

Absent or not voting, 8.

Adams  
Foskett  
Frailey

Hale  
Holdoegel  
LeCompte

Thompson  
Van Alstine

So the joint resolution, having failed to receive a constitutional majority, was declared to have failed to be adopted by the Senate.

#### CONCURRENT RESOLUTION.

Senator Proudfoot offered the following resolution:

Concurrent resolution inviting William Howard Taft to address a joint session of the Thirty-eighth General Assembly of Iowa.

*Whereas*, William Howard Taft, ex-president of the United States, jurist, statesman and leader of world peace, is passing through the city of Des Moines, and whereas the position he has occupied in public life and which he still occupies as a private citizen makes him one of the most distinguished men of the hour, whose vast knowledge and experience and inspiration are incentives to the best life of the people of the United States, therefore,

*Be It Resolved by the Senate, the House concurring*, that a joint session of the Thirty-eighth General Assembly of Iowa be held in the hall of the House of Representatives at 11:30 A. M., Tuesday, April 15, 1919, and that Mr. Taft be invited to address the joint assembly at that hour.

By unanimous consent, the resolution was taken up, considered and adopted.

#### MEMORIAL RESOLUTION.

Senator Kingland offered the following resolution:

*Whereas*, Honorable Gilbert S. Gilbertson, who was a member of this Senate in the Twenty-sixth and Twenty-seventh General Assemblies and afterwards treasurer of the state of Iowa, died in Des Moines, Iowa, on November 25, 1917,

*Therefore, Be It Resolved*, that a committee of three be appointed by the president of the Senate to draw and submit suitable resolutions fittingly to commemorate the life and public services of said Gilbert S. Gilbertson.

By unanimous consent, the resolution was taken up, considered and adopted.

The president appointed as such committee, Senators Kingland, Newberry and White.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 548, a bill for an act to coordinate the work of the state of Iowa and of the government of the United States relative to road improvements, to provide and to define a system of primary and secondary roads in each county and to provide for the extension of such primary system, to provide for the improvement and maintenance of such roads and to prescribe the procedure therefor, to extend certain options to each county in the improvement of its roads, to provide the funds to pay the cost of such improvements and to regulate the division, accounting and disbursement of such funds, to authorize, in certain cases, the levy of limited special assessments upon real estate which abuts upon or is adjacent to such road improvements, in order to defray a part of the cost thereof and to regulate and prescribe the procedure in consummating such assessments and the collection and application thereof, to authorize and regulate the anticipation by each county of the funds (including special assessments) provided by this act for road improvements, to authorize the submission to the voters of each county of the question of issuing the bonds of the county in order to secure immediate funds to carry on such improvements, and of levying an annual tax on all the property of the county to pay the annual interest on said bonds and to pay any deficiency in the principal of such bonds which cannot be met by other funds provided by this act, to authorize the submission to the voters of the county of the question of validating specified contracts for the improvement of highways and the question of issuing the bonds of the county in order to carry out such contracts, and of levying an annual tax to pay the annual interest on such bonds and to pay any deficiency in the principal of such bonds which cannot be met by other funds provided by this act, to provide the procedure for submitting all such questions to the voters and for the determination of the result of such submission, to provide the procedure for the levy of taxes and for the form, conditions, issuance, application, disbursement, and payment of authorized bonds and the interest thereon, to limit the amount of bonds which may be issued under any vote of authorization, to empower township trustees to levy an additional tax of two mills for township roads, to provide for the purchase, lease, receipt and distribution of equipment in aid of the improvements provided by this act and to authorize the payment of the cost of such equipment, to prohibit and punish violations of this act, to repeal section one thousand five hundred seventy-one-m thirty-two (1571-m32), supplemental supplement to the code, 1915, and to enact a substitute therefor, to amend paragraph five (5) of section one thousand three hundred three (1303) supplemental supplement to the code, 1915, to repeal sections fif-

teen hundred twenty-seven-f (1527-f) to section fifteen hundred twenty-seven-r (1527-r), supplement to the code, 1913, and all existing acts and parts of acts in conflict with this act, to provide for the printing and distribution of this act, and to provide the time when the same shall take effect.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted .

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate File No. 500, a bill for an act to repeal section two thousand five hundred seventy five (2575) of the code, and to enact a substitute therefor relating to the annual appropriation for the state board of health.

#### HOUSE AMENDMENT.

I move to amend Senate File No. 500 by striking out the colon (:) at the end of the twenty-fifth line and substituting a period (.) therefor, and by inserting after said period (.) and before the word "all" in the twenty-sixth line the following:

"Sec. 2. That there is hereby appropriated annually out of any funds in the state treasury not otherwise appropriated the sum of five thousand dollars (\$5,000.00) or so much thereof as shall be necessary, for the state board of health for the employment of the necessary assistants, and for defraying the traveling and incidental expenses incurred, in making the sanitary investigations, inspections and surveys required in carrying out the provisions of Section nine (9), Section one hundred five (105), Section one hundred six (106), and Section one hundred eight (108), of Senate File No. 475, Acts of the Thirty-eighth General Assembly.

Sec. 3. That"

W. C. RAMSAY, *Chief Clerk.*

Also:

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 inviting William Howard Taft to address a joint session of the Thirty-eighth General Assembly of Iowa, at 11:30 today.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House herewith returns as requested House File No. 335, a bill for an act to establish a State Live Stock Sanitary Board in Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has refused to concur in Senate amendments to House amendments to Senate File No. 497, relating to beneficiary societies.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 527, a bill for an act to legalize a certain election held in the town of Oakland, Pottawattamie County, Iowa, on the 14th day of February, 1919, whereat there was submitted to the voters of said town a certain proposition.

#### HOUSE AMENDMENTS.

Amend the title and preamble of Senate File No. 527 by striking out all of the title and preamble and inserting in lieu thereof the following:

#### A BILL FOR AN ACT

To legalize the proceedings of the Town Council of the Town of Oakland, Pottawattamie County, Iowa, and an election held thereunder for the purpose of authorizing the construction of a waterworks system in said town and the issuance of bonds to pay the cost of constructing the same.

*Whereas*, the Town Council of the Town of Oakland, Pottawattamie County, Iowa, a town with a population of less than 3500, upon a petition signed by a majority of the qualified voters of said town reciting that it was "necessary to construct a waterworks system and water supply" and asking that an election be called to "submit to the voters of said town the proposition of issuing bonds of said town in the sum of \$25,000.00, the money derived from the sale of the bonds to be used only for the purpose of constructing a waterworks system and water supply within said town", did by a resolution duly adopted order said election; and

*Whereas*, it was provided in said resolution that the form of ballot to be used at said election should be in the following form:

"For the issuance of bonds in the sum of \$25,000.00 for the construction of a waterworks system and water supply" and also in the negative form—"Against the issuance" etc., with space for voting "for" or "against"; and

*Whereas*, the mayor of said town issued his notice and proclamation giving full notice of all of said proceedings and of a special election to be held on the 14th day of February, 1919, and reciting in said notice—"this notice is given by order of the council of said town pursuant to Section 720 et seq. Supplement to the Code of Iowa, 1913, as amended, and pursuant to Sections 1306-b et seq. Supplement to the Code of Iowa, 1913"; and

*Whereas*, said proceedings were had and said notice given with reference to and in substantial compliance with Sections 720 and 721 and Sections 1306-b, 1306-c, 1306-d and 1306-e Supplement to the Code of Iowa, 1913; and

*Whereas*, doubts have arisen concerning the legality of said proceedings and said election; now therefore

Amend Senate File No. 527 by striking out all after the enacting clause and inserting in lieu thereof the following:

"SECTION 1. That all of the acts of the Town Council of the Town of Oakland, Pottawattamie County, Iowa, with reference to the finding of the sufficiency of the petition of the voters filed, the resolution adopted providing for an election, the form of ballot to be used, the notice of the election given, and the manner and form of it, and the holding of said election and the return of the result thereof and all proceedings had and done in connection with providing for the construction of a waterworks system and water supply for the Town of Oakland, Iowa, and issuing bonds in the sum of \$25,000.00, the money derived from the sale of them to be used for the payment for the construction of said waterworks system are hereby legalized and validated as fully and completely as if the law in all of said proceedings had been strictly and literally complied with and as if there had been separate elections legally held under Section 720 and 721 and Sections 1306-b and 1306-c, supplement to the code, 1913, both inclusive, and the bonds to be issued under said proceedings and election had shall be valid and binding obligations of the Town of Oakland, Iowa.

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 in the Oakland Acorn, a newspaper published in Oakland, Iowa, without expense to the State."

W. C. RAMSAY, *Chief Clerk.*

HOUSE RESOLUTION CONCURRED IN.

Senator Whitmore called up the following concurrent resolution:

*Be It Resolved by the House, the Senate concurring,* that the chief clerk of the House and the secretary of the Senate be required to remain at the capitol and perform their respective duties as such for a period of six days after the close of the session of the Thirty-eighth General Assembly; that they be permitted to select four each of their respective assistants who shall remain for a period of four 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 the chief clerk of the House and the secretary of the Senate are hereby authorized to correct the journals of the House and the Senate, respectively, of the last day of the session; all of whom shall receive the same compensation per day for such extra time as they now receive.

Senator Whitmore offered the following amendment and moved its adoption:

Amend by adding thereto the following: "The postmistress shall perform her duties for three days following adjournment."

The amendment was adopted and on motion of Senator Whitmore, the Senate concurred in the resolution as amended.

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed House Files Nos. 49, 225, 252, 264, 357, 436 and 548.

#### THIRD READING OF BILLS.

On motion of Senator Coburn, House File No. 431, a bill for an act to amend section two thousand eight hundred sixteen (2816), supplement to the code of Iowa, 1913, relating to the reversion of school sites, with report of sifting committee recommending passage was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Adams	Broxam	Foskett
Anderson	Byington	Foster
Arney	Coburn	Greenell
Balkema	Edwards	Haskell
Ball	Evans	Horchem
Brookhart	Fellows	Kimberly

Kingland	Rainbow	Stephenson
Meredith	Ratcliff	Stoddard
Mitchell	Rule	Van Alstine
Newberry	Schaffter	White
Parker	Scott	Whitmore
Pitt	Shane	Wilson
Price		

Nays, none.

Absent or not voting, 13.

Buser	Kimball	Reed
Cessna	LeCompte	Smith
Fralley	Nelson	Taylor
Hale	Proudfoot	Thompson
Holdoegel		

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, House File No. 410, a bill for an act to amend Section 2778, Supplemental Supplement to the Code, 1915, relating to contracts with teachers, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Adams	Greenell	Rainbow
Anderson	Haskell	Ratcliff
Arney	Holdoegel	Rule
Balkema	Kingland	Schaffter
Ball	LeCompte	Scott
Brookhart	Meredith	Shane
Broxam	Mitchell	Stoddard
Buser	Nelson	Taylor
Byington	Newberry	Van Alstine
Cessna	Parker	White
Coburn	Price	Whitmore
Edwards	Proudfoot	Wilson
Fellows		

Nays, none.

Absent or not voting, 13.

Evans	Horchem	Reed
Foskett	Kimball	Smith
Foster	Kimberly	Stephenson
Fralley	Pitt	Thompson
Hale		



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, House File No. 317, a bill for an act to amend Chapter four (4), Title ten (X) of the Code relating to taking private property for works of internal improvement and providing that incorporated county fair societies or county agricultural associations or district agricultural associations shall have the power of eminent domain, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Fellows 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 vote was:

Ayes, 36.

Adams	Fellows	Price
Arney	Haskell	Rainbow
Balkema	Horchem	Ratcliff
Ball	Kimball	Rule
Brookhart	Kimberly	Scott
Broxam	Kingland	Smith
Buser	Meredith	Stephenson
Byington	Mitchell	Stoddard
Cessna	Nelson	Taylor
Coburn	Newberry	Van Alstine
Edwards	Parker	Whitmore
Evans	Pitt	Wilson

Nays, none.

Absent or not voting, 14.

Anderson	Hale	Schaffter
Foskett	Holdoegel	Shane
Foster	LeCompte	Thompson
Frailey	Proudfoot	White
Greenell	Reed	

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. 536, a bill for an act to reimburse Charles W. Mullan, Judge of the District Court of the 10th Judicial District, for expenses incurred in the perform-

ance of his official duties, from October 4, 1915, to April 18, 1918, and providing for payment therefor, a committee bill, was taken up and considered.

Senator Smith 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 vote was:

Ayes, 38.

Adams	Horchem	Rainbow
Arney	Kimball	Ratcliff
Ball	Kingland	Rule
Brookhart	Kimberly	Schaffter
Broxam	LeCompte	Scott
Buser	Meredith	Smith
Byington	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Newberry	Taylor
Evans	Parker	Van Alstine
Fellows	Pitt	Whitmore
Haskell	Price	Wilson
Holdoegel	Proudfoot	

Nays, none.

Absent or not voting, 12.

Anderson	Foster	Reed
Balkema	Frailey	Shane
Cessna	Greenell	Thompson
Foskett	Hale	White

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. 528, a bill for an act providing for a joint drainage board, consisting of the city council and the board of supervisors, when any drainage district includes within its boundary the corporate limits of a city of the first class, a committee bill, was taken up and considered.

Senator Kimball offered the following amendment and moved its adoption:

Amend Senate File No. 528, by adding thereto as Section 2 the following:

SEC. 2. Whenever a petition signed by the owner or owners of sixty per cent (60%) of the land located in any proposed district, is filed with

the county auditor or county auditors of the county or counties where such land is located, petitioning for the establishment of a drainage district or districts, or the location and establishment of any levee, ditch, drain or water course, or the straightening, widening, deepening and changing of any natural water course, it shall be the duty of the board of supervisors in any such county or counties, and they are hereby required and directed to, as speedily as possible, establish the said drainage district or districts, locate and establish the said levees, ditches, drains, or water courses, or straighten, widen, deepen, or change any natural water course or courses, as prayed in said petition, and provide for the establishment, cost and maintenance of the said improvements above referred to in accordance with the methods now provided in title X, chapter 2a, supplement to the code, as far as the said provisions are applicable.

The amendment was 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 vote was:

Ayes, 19.

Byington	LeCompte	Rainbow
Edwards	Meredith	Shane
Evans	Mitchell	Smith
Foster	Newberry	Stoddard
Haskell	Parker	Van Alstine
Horchem	Price	Whitmore
Kimball		

Nays, 20.

Adams	Cessna	Reed
Arney	Coburn	Rule
Balkema	Greenell	Schaffter
Ball	Holdoegel	Scott
Brookhart	Nelson	Taylor
Broxam	Proudoot	Wilson
Buser	Ratcliff	

Absent or not voting, 11.

Anderson	Hale	Stephenson
Fellows	Kimberly	Thompson
Foskett	Kingland	White
Frailey	Pitt	

So the bill, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 123, a bill for an act to amend the law as it appears in section one thousand and eighty-seven-a twenty-two (1087-a22), supplement to the code, 1913, relating to canvass by the state board in primary elections.

Also:

House File No. 262, a bill for an act to amend section fifty-two hundred and fifty-six (5256), supplement to the code, 1913, relating to the appointment of clerks of the grand jury and fixing salaries thereof.

Also:

House File No. 384, a bill for an act to amend section one thousand three hundred seventy (1370), supplement to the code, 1913, relating to equalization of taxes by township trustees.

Also:

House File No. 418, a bill for an act to amend section six hundred eighty-three (683), supplement to the code, 1913, and section six hundred eighty-four (684) of the code, providing for passage or adoption of ordinances, resolutions and orders by town councils.

Also:

House File No. 423, a bill for an act to amend the law as it appears in chapter forty-nine (49) section twelve (12) of the acts of the thirty-seventh general assembly, relating to board of county prisoners.

Also:

House File No. 435, a bill for an act to amend section two hundred sixty-nine (269) of the code, and chapter two hundred sixty-seven (267), acts of the thirty-seventh general assembly, in relation to the selection and drawing of petit jurors and talesmen for superior courts.

Also:

House File No. 68, a bill for an act providing for the examination and certification of shorthand reporters of the district, superior and municipal courts, and creating a board of examiners therefor.

Also:

House File No. 72, a bill for an act to repeal the law as it appears in section seven hundred sixteen-b (716-b), supplement to the code, 1913,

as amended by chapter one hundred fifty-one (151), acts of the thirty-seventh general assembly, relative to levying taxes by cities and towns for the purpose of equipping fire departments, and enacting a substitute therefor.

Also:

House File No. 268, a bill for an act to amend section twenty-two hundred and forty-two (2242) of the supplement to the code, 1913, relating to the management of the county home or county farm and providing for the publication of a financial statement by the board of supervisors relating to such county farm or county home.

Also:

House File No. 283, a bill for an act relating to the establishment of a free public library and soldiers' memorial and providing that cities and towns having established a free public library may unite with the board of supervisors for the erection and maintenance of a soldiers, sailors and marines memorial and public library and providing for the appointment of trustees for such memorial and public library, and providing their powers and duties and authorizing the levy of taxes for the erection and maintenance of such memorial and library.

Also:

House File No. 358, a bill for an act to amend the law as it appears in sections thirteen hundred six-b (1306-b), thirteen hundred six-c (1306-c), and thirteen hundred six-d (1306-d), supplement to the code, 1913, and chapter eighty-five (85), acts of the thirty-seventh general assembly, relating to the limitations of indebtedness which may be incurred by counties and other political or municipal corporations and the issuance of bonds in cities and towns.

Also:

House File No. 496, a bill for an act to amend section five hundred seventy-six (576), supplement to the code, 1913, relating to the duties of township clerks and the deposit of public funds collected by them.

Also:

House File No. 534, a bill for an act to amend section twenty-three hundred forty-one-q (2341-q), supplemental supplement to the code, 1915, referring to false pedigrees of stock.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted .

## INTRODUCTION OF BILLS.

By Senator Foster, Senate Joint Resolution No. 11, a joint resolution authorizing the joint committee on Retrenchment and Reform to extend the time, not exceeding ninety (90) days, for completing the work of codification now being done by the Code revision committee.

Whereas, the time limit fixed for completing the work assigned to the Code Revision Committee may prove too short; and

Whereas, provision should be made for such a contingency should it arise, therefore

*Be It Resolved by the General Assembly of the State of Iowa:*

Section 1. That the joint committee on Retrenchment and Reform be and it is hereby empowered and directed to hear and determine upon applications for extensions of time by said Code Revision Committee, if any such applications be made, and said joint committee may make such extensions of time as may be necessary or proper for completing the codification work,—in all not exceeding ninety (90) days.

Senator Foster moved that the rules under which no bill or joint resolution may be read a second and a third time on the same day be suspended.

The motion prevailed.

## THIRD READING OF BILLS.

The joint resolution was read for information.

Senator Foster moved that the rules be suspended, the joint resolution be considered engrossed, and the reading just had be considered the third reading, which motion was lost.

Senator Byington moved that further action on Senate joint resolution No. 11 be deferred until tomorrow morning.

The motion prevailed.

On motion of Senator Smith, Senate File No. 415, a bill for an act amending part four (4) of section thirteen hundred four (1304) of the supplement to the code, 1913, regarding exemption

from taxation by reason of age or infirmity, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out all after the word "assigns" in line seven and by inserting a period after the said word "assigns".

Senator Smith 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 vote was:

Ayes, 35.

Adams	Greenell	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Reed
Ball	Holdoegel	Rule
Brookhart	Horchem	Schaffter
Broxam	Kimberly	Scott
Buser	Kingland	Shane
Byington	Meredith	Smith
Cessna	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Newberry	Whitmore
Foster	Price	

Nays, none.

Absent or not voting, 15.

Anderson	Kimball	Taylor
Evans	LeCompte	Thompson
Fellows	Parker	Van Alstine
Foskett	Pitt	White
Fralley	Proudfoot	Wilson

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 Whitmore, Senate File No. 405, a bill for an act to amend section one (1), chapter one hundred ninety-one (191), Acts of the Thirty-seventh General Assembly, relating to exemptions from taxation of property of soldiers and sailors, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

Senator Whitmore offered the following amendments as a substitute for the amendment proposed by the committee on ways and means:

Amend by substituting for the words and figures "one thousand dollars (\$1,000.00)" the words and figures "seven hundred dollars (\$700.00)."

Also amend Senate File No. 405 by adding the following to same:

"By striking out the words and figures "five hundred dollars (\$500.00)" in line ten thereof, and inserting in lieu thereof the words and figures "three hundred dollars (\$300.00)".

A division was asked for and the amendments were adopted, each in turn.

Senator Whitmore 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 vote was:

#### Ayes, 34.

Adams	Hale	Proudfoot
Balkema	Haskell	Rainbow
Ball	Holdoegel	Ratcliff
Brookhart	Horchem	Reed
Broxam	Kimberly	Rule
Buser	Kingland	Schaffter
Byington	LeCompte	Scott
Cessna	Meredith	Smith
Coburn	Nelson	Stephenson
Edwards	Parker	Stoddard
Foster	Pitt	Whitmore
Greenell		

#### Nays, 3.

Anderson	Evans	Wilson
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#### Absent or not voting, 13.

Arney	Mitchell	Taylor
Fellows	Newberry	Thompson
Foskett	Price	Van Alstine
Frailey	Shane	White
Kimball		

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

Senator Whitmore moved that the vote by which Senate File



No. 405 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Foster, House File No. 197, a bill for an act providing for the organizing, admitting from other states, licensing and regulating of mutual insurance corporations, organized among physicians, druggists, dentists and graduate nurses for their protection against loss in action for alleged error, mistake or negligence; requiring such organization, etc., be incorporated; providing for fees, taxes, licenses, reports, cancellations, supervision and other regulations thereof and repealing all acts and parts of acts in conflict therewith, was taken up, considered, and the report of the committee adopted.

Further action was deferred.

#### RESIGNATION OF CLERK.

April 15, 1919.

I hereby tender my resignation as an employee of the Thirty-eighth General Assembly.

CLARE R. MARSHALL,

*Clerk to the Lieutenant Governor.*

The resignation was accepted.

A committee from the House appeared and notified the Senate that the House was ready to receive the Senate in joint session to hear an address by Ex-President William H. Taft.

The Senate proceeded to the House chamber under the direction of the sergeant-at-arms.

#### JOINT SESSION.

Pursuant to concurrent resolution duly adopted, the joint convention was called to order, Hon. Ernest R. Moore, president of the Senate, presiding.

President Moore announced a quorum present.

Senator Proudfoot moved that a committee of three be appointed to notify the Hon. William H. Taft that the joint session was ready to receive him and to escort him to the speaker's desk. Motion prevailed and the president appointed as such committee,

Senator Proudfoot, Representatives Harrington of Kossuth and Moore of Guthrie.

Ex-President Taft was escorted to the speaker's desk. Senator Proudfoot presented the Hon. William H. Taft, who delivered an address on the league of nations.

Minutes of the joint session were read and approved.

Davidson of Page moved that the joint session be now dissolved.

Motion prevailed.

Senate returned to the Senate chamber and resumed regular session.

On motion of Senator Parker, Senate adjourned until 2:00 p. m. today.

#### AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

Senate resumed consideration of House File No. 197.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 31.

Adams	Fralley	Newberry
Anderson	Greenell	Parker
Arney	Haskell	Proudfoot
Balkema	Horchem	Rainbow
Broxam	Kimball	Reed
Buser	Kimberly	Rule
Edwarde	Kingland	Schaffter
Evans	LeCompte	Stephenson
Fellows	Meredith	Taylor
Foskett	Nelson	White
Foster		

Nays, 12.

Ball	Hale	Stoddard
Brookhart	Pitt	Thompson
Byington	Price	Whitmore
Coburn	Ratcliff	Wilson

Absent or not voting, 7.

Cessna  
Holdoegel  
Mitchell

Scott  
Shane

Smith  
Van Alstine

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

Senator Foster moved that the vote by which House File No. 197 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### LEAVE OF ABSENCE.

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

#### REPORT FROM SIFTING COMMITTEE.

H. F. 344 by Findlay,

H. F. 202 by Wilson of Mahaska,

H. F. 148 by Harrington,

H. F. 416 by O'Donnell,

H. F. 275 by Morrow,

H. F. 500 by Messer,

H. F. 222 by Griffin,

H. F. 494 by Clark,

H. F. 557 by Committee on Public Health,

H. F. 553 by Committee on Insurance,

H. F. 312 by Harrington,

House Joint Resolution No. 5 by Committee on Motor Vehicles and Transportation.

#### HOUSE AMENDMENTS CONCURRED IN.

Senator Schaffter called up Senate File No. 188, amended by the House, and moved that the Senate concur in the following House amendments:

## HOUSE AMENDMENTS.

Amend by inserting the word "supplemental" after the comma (,) in line one of the title and by changing "1913" to "1915" in the second line of the title; also by inserting after the comma (,) at the end of line one of Section one the word "supplemental" and in the second line of Section one by changing "1913" to "1915".

Also amend by striking out the word "Section" where the same appears in line four of said bill and inserting in lieu thereof the word "paragraph". Strike out the word "Section" in line six of said bill and insert the word "paragraph" in lieu thereof. Strike out the word "Section" where it appears in line ten of said bill and insert the word "paragraph" in lieu thereof. Strike out the word "Section" where it appears in line twelve of said bill and insert the word "paragraph" in lieu thereof.

Also, amend by adding, following the period at the end of Section one of said bill the following: "This act shall also apply to all cities under special charter and cities under commission form of government."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 32.

Anderson	Greenell	Rainbow
Arney	Hale	Ratcliff
Balkema	Haskell	Rule
Ball	Horchem	Schaffter
Broxam	Kimberly	Stephenson
Byington	Kingland	Stoddard
Coburn	Meredith	Thompson
Edwards	Nelson	White
Evans	Parker	Whitmore
Fellows	Pitt	Wilson
Foster	Proudfoot	

Nays, 1.

Kimball

Absent or not voting, 17.

Adams	Holdoegel	Scott
Brookhart	LeCompte	Shane
Buser	Mitchell	Smith
Cessna	Newberry	Taylor
Foskett	Price	Van Alstine
Fralley	Reed	

The House amendments, having received a constitutional majority, were declared to have been concurred in by the Senate.

Senator Byington called up Senate File No. 186, amended by the House, and moved that the Senate concur in the following House amendments:

Amend by inserting after the word "contractor" in line twenty-eight of section 3, the following words, "or the construction, improving, or extending of private drains or drainage works, private irrigation works, private water supply works, or other works of a private nature", and by adding after the period in sub-division "d" of section 3 of said bill, the following, "the surveying of lands for the purpose of subdividing or determining boundary lines where no contest is involved shall not be deemed to be the practice of land surveying within the meaning of this act."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 35.

Anderson	Foster	Proudfoot
Arney	Fralley	Rainbow
Balkema	Greenell	Ratcliff
Ball	Haskell	Rule
Broxam	Horchem	Schaffter
Buser	Kimberly	Shane
Byington	Kingland	Stoddard
Coburn	LeCompte	Thompson
Edwards	Nelson	White
Evans	Newberry	Whitmore
Fellows	Parker	Wilson
Foskett	Price	

Nays, none.

Absent or not voting, 15.

Adams	Kimball	Scott
Brookhart	Meredith	Smith
Cessna	Mitchell	Stephenson
Hale	Pitt	Taylor
Holdoegel	Reed	Van Aistine

The House amendments, having received a constitutional majority, were declared to have been concurred in by the Senate.

Senator Wilson called up Senate File No. 527, amended by the House, and moved that the Senate concur in the following House amendments:

Amend Senate File No. 527 by striking out all after the enacting clause and inserting in lieu thereof the following:

"SECTION 1. That all of the acts of the Town Council of the Town of Oakland, Pottawattamie County, Iowa, with reference to the finding of the sufficiency of the petition of the voters filed, the resolution adopted providing for an election, the form of ballot to be used, the notice of the election given, and the manner and form of it, and the holding of said election and the return of the result thereof and all proceedings had and done in connection with providing for the construction of a water-

works system and water supply for the Town of Oakland, Iowa, and issuing bonds in the sum of \$25,000.00, the money derived from the sale of them to be used for the payment for the construction of said waterworks system are hereby legalized and validated as fully and completely as if the law in all of said proceedings had been strictly and literally complied with and as if there had been separate elections legally held under Section 720 and 721 and Sections 1306-b and 1306-c, supplement to the code, 1913, both inclusive, and the bonds to be issued under said proceedings and election had shall be valid and binding obligations of the Town of Oakland, Iowa.

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 in the Oakland Acorn, a newspaper published in Oakland, Iowa, without expense to the State."

Amend the title and preamble of Senate File No. 527 by striking out all of the title and preamble and inserting in lieu thereof the following:

#### A BILL FOR AN ACT

To legalize the proceedings of the Town Council of the Town of Oakland, Pottawattamie County, Iowa, and an election held thereunder for the purpose of authorizing the construction of a waterworks system in said town and the issuance of bonds to pay the cost of constructing the same.

*Whereas*, the Town Council of the Town of Oakland, Pottawattamie County, Iowa, a town with a population of less than 3500, upon a petition signed by a majority of the qualified voters of said town reciting that it was "necessary to construct a waterworks system and water supply" and asking that an election be called to "submit to the voters of said town the proposition of issuing bonds of said town in the sum of \$25,000.00, the money derived from the sale of the bonds to be used only for the purpose of constructing a waterworks system and water supply within said town", did by a resolution duly adopted order said election; and

*Whereas*, it was provided in said resolution that the form of ballot to be used at said election should be in the following form:

"For the issuance of bonds in the sum of \$25,000.00 for the construction of a waterworks system and water supply" and also in the negative form—"Against the issuance" etc., with space for voting "for" or "against"; and

*Whereas*, the mayor of said town issued his notice and proclamation giving full notice of all of said proceedings and of a special election to be held on the 14th day of February, 1919, and reciting in said notice—"this notice is given by order of the council of said town pursuant to Section 720 et seq. Supplement to the Code of Iowa, 1913, as amended, and pursuant to Sections 1306-b et seq. Supplement to the Code of Iowa, 1913"; and

*Whereas*, said proceedings were had and said notice given with reference to and in substantial compliance with Sections 720 and 721 and Sections 1306-b, 1306-c, 1306-d and 1306-e Supplement to the Code of Iowa, 1913; and

Whereas, doubts have arisen concerning the legality of said proceedings and said election; now therefore

On the question, "Shall the Senate concur?" the vote was:

Ayes, 32.

Anderson	Kimball	Rule
Arney	Kimberly	Schaffter
Ball	Kingland	Shane
Byington	LeCompte	Smith
Coburn	Meredith	Stephenson
Edwards	Nelson	Stoddard
Evans	Parker	Thompson
Fellows	Price	White
Fralley	Proudfoot	Whitmore
Haskell	Rainbow	Wilson
Horchem	Ratcliff	

Nays, none.

Absent or not voting, 18.

Adams	Foskett	Newberry
Balkema	Foster	Pitt
Brookhart	Greenell	Reed
Broxam	Hale	Scott
Buser	Hoidoegel	Taylor
Cessna	Mitchell	Van Alatine

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

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate in the presence of the Senate he had signed House Files Nos. 123, 262, 384, 418, 423, 435, 68, 72, 268, 283, 358, 496 and 534.

#### HOUSE FILE NO. 335 RECONSIDERED.

Senator Coburn moved that the vote by which House File No. 335 passed the Senate, and also the vote by which the bill went to its third reading, be reconsidered.

The motion prevailed.

Senator Coburn offered the following amendment and moved its adoption:

Amend by striking out all of Section Nine (9) and inserting the following in lieu thereof:

Sec. 9. The Commission of Animal Health is hereby empowered to appoint such assistants as may be required and fix the compensation thereof and to purchase such supplies and materials as may be necessary from the funds provided in this act. The Commission is further empowered to appoint one or more veterinarians in each county as assistants and fix the compensation thereof which may be collected of and paid by the owner of the stock inspected by said veterinarians. Said veterinarians are hereby authorized to perform the work provided for in this act under the direction of the Commission of Animal Health and shall be furnished by said Commission with the necessary supplies and materials to carry out the provisions of this Act and the Commission and assistants herein provided for are empowered to administer oaths or affirmations to any appraisers appointed under this act.

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 30.

Anderson	Hale	Rainbow
Arney	Haskell	Ratcliff
Ball	Horchem	Rule
Brookhart	Kimberly	Schaffter
Broxam	Kingland	Shane
Byington	Meredith	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Parker	Thompson
Fellows	Price	Whitmore
Frailey	Proudfoot	Wilson

Nays, none.

Absent or not voting, 20.

Adams	Greenell	Reed
Balkema	Holdoegel	Scott
Buser	Kimball	Smith
Cessna	LeCompte	Taylor
Evans	Nelson	Van Alstine
Foskett	Newberry	White
Foster	Pitt	

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

Senator Coburn moved that the vote by which House File



No. 335 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Stoddard, Senate File No. 454, a bill for an act to amend sections thirteen hundred twenty-two (1322) and thirteen hundred twenty-two, one-a (1322-1-a) of the supplement to the code, 1913, relating to national, state and savings banks, and the assessment and taxation of stock therein, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

By unanimous consent, on request of Senator Foster, further action was deferred.

#### REPORT ON HOUSE FILE NO. 224 RECONSIDERED.

Senator Rule called up motion filed to reconsider the vote by which the committee report was adopted, indefinitely postponing House File No. 224, a bill for an act requiring public contractors to file a bond for the protection of the parties contracting therewith and for the benefit of those furnishing such contractor with materials used or labor performed in the carrying out of such contracts, fixing the terms and conditions of such bonds, requiring the same to be filed with the Clerk of the District Court; providing for suit to be brought thereon, and fixing the time within which such suit may be instituted; precedent to the validity of such public contracts.

The motion to reconsider prevailed.

Senator Kimball offered the following amendment and moved its adoption:

Amend Section 2 by adding the following:

"and provided that a verified, itemized statement of the claim shall be filed with the City Clerk, County Auditor or Secretary of the School Board, as the case may be, within sixty days after the last item of material is furnished or labor performed."

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 30.

Anderson	Kimball	Ratcliff
Arney	Kimberly	Rule
Balkema	Kingland	Schaffter
Ball	Meredith	Shane
Byington	Mitchell	Smith
Cessna	Nelson	Stephenson
Edwards	Parker	Stoddard
Fellows	Price	Thompson
Fralley	Proudfoot	White
Horchem	Rainbow	Whitmore

Nays, 2.

Hale	Haskell
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Absent or not voting, 18.

Adams	Foskett	Pitt
Brookhart	Foster	Reed
Broxam	Greenell	Schaffter
Buser	Holdoegel	Taylor
Coburn	LeCompte	Van Alstine
Evans	Newberry	Wilson

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

Senator Rule offered the following amendment to the title and moved its adoption:

Amend the title to H. F. 224 by striking out the period at the end thereof and inserting a comma and adding the following:

"and providing the time within which claims shall be filed."

The amendment was adopted and the title as amended was agreed to.

#### THIRD READING OF BILLS.

On motion of Senator Kingland, House File No. 420, a bill for an act to amend section fifteen hundred twenty-seven-d (1527-d), supplement to the code, 1913, relating to electric light and power transmission lines, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Kingland offered the following amendment and moved its adoption:

Amend House File 420 by striking out the period at the end of the title and inserting in lieu thereof a comma and by adding the following: "and increasing the penalty for violation of section 1527-c, supplement to the code, 1913", and also by striking out in line two of section one of the printed bill the words "stricken out" and inserting in lieu thereof the following: "and hereby is repealed".

The amendment was adopted.

Senator Kingland offered the following amendment and moved its adoption:

Amend the title by striking out the word "amend" in line 1 and inserting in lieu thereof the word "repeal".

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 35.

Anderson	Hale	Rainbow
Arney	Horchem	Ratcliff
Balkema	Kimberly	Rule
Ball	Kingland	Schaffter
Broxam	LeCompte	Scott
Byington	Meredith	Shane
Cessna	Mitchell	Stephenson
Coburn	Nelson	Stoddard
Edwards	Newberry	Thompson
Evans	Parker	Whitmore
Fellows	Price	Wilson
Fralley	Proudfoot	

Nays, none.

Absent or not voting, 15.

Adams	Greenell	Reed
Brookhart	Haskell	Smith
Buser	Holdoegel	Taylor
Foskett	Kimball	Van Alstine
Foster	Pitt	White

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 Ball, House File No. 275, a bill for an act to amend the law as it appears in Section 2734-b, Supple-

mental Supplement to the Code, 1915, as amended by Chapter 317, Acts of the Thirty-Seventh General Assembly, relating to deputy county superintendents, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" **the vote was:**

Ayes, 32.

Anderson	Haskell	Rainbow
Arney	Horchem	Ratcliff
Balkema	Kimball	Rule
Ball	Kimberly	Schaffter
Broxam	Kingland	Scott
Byington	Meredith	Stephenson
Coburn	Mitchell	Thompson
Evans	Nelson	White
Fellows	Newberry	Whitmore
Frailey	Parker	Wilson
Hale	Proudfoot	

Nays, 1.

Price

Absent or not voting, 17.

Adams	Foster	Shane
Brookhart	Greenell	Smith
Buser	Holdoegel	Stoddard
Cessna	LeCompte	Taylor
Edwards	Pitt	Van Alstine
Foskett	Reed	

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 Joint Resolution No. 5, a joint resolution granting to the Treasurer of State authority to make settlement in delinquencies in automobile licenses prior to 1919, and providing for additional help, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Arney moved that the rules be suspended, and the joint resolution be considered engrossed, and read a third time now, which motion prevailed, and the joint resolution was read a third time.

On the question, "Shall the joint resolution be adopted?" the vote was:

Ayes, 34.

Anderson	Haskell	Rainbow
Arney	Horchem	Ratcliff
Balkema	Kimberly	Rule
Broxam	LeCompte	Schaffter
Byington	Meredith	Scott
Cessna	Mitchell	Shane
Coburn	Nelson	Smith
Edwards	Newberry	Stephenson
Evans	Parker	Thompson
Fellows	Price	Whitmore
Fralley	Proudfoot	Wilson
Hale		

Nays, none.

Absent or not voting, 16.

Adams	Greenell	Reed
Ball	Holdoegel	Stoddard
Brookhart	Kimball	Taylor
Buser	Kingland	Van Alstine
Foskett	Pitt	White
Foster		

So the joint resolution, having received a constitutional majority, was declared to have been adopted by the Senate and its title was agreed to.

On motion of Senator Mitchell, House File No. 202, a bill for an act to provide for the determination of location, plans and specifications and division of cost for highway improvements by the State Highway Commission, on or across boundary lines of adjoining counties where said counties are unable to agree, with report of sifting committee recommending passage, was taken up, considered and the report of the committee adopted.

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

Senator LeCompte moved to reconsider the vote by which the bill passed to its third reading.

The motion prevailed.

Senator LeCompte offered the following amendment and moved its adoption:

Amend House File 202 by adding the words and figures "Section 2" at the beginning of the last paragraph.

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 36.

Anderson	Hale	Proudfoot
Balkema	Haskell	Rainbow
Ball	Horchem	Ratcliff
Brozam	Kimberly	Rule
Byington	Kingland	Schaffter
Cessna	LeCompte	Scott
Edwards	Meredith	Shane
Evans	Mitchell	Stephenson
Fellows	Nelson	Stoddard
Foster	Newberry	White
Fralley	Parker	Whitmore
Greenell	Price	Wilson

Nays, none.

Absent or not voting, 14.

Adams	Foskett	Smith
Arney	Holdoegel	Taylor
Brookhart	Kimball	Thompson
Buser	Pitt	Van Alstine
Coburn	Reed	

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

Senator Wilson offered the following amendment to the title and moved its adoption:

Amend the title to H. F. No. 202 by striking the words "To Amend

Section 1527 s-4, Supplement to the Code of 1913" and insert a capital "T" instead of a small letter "t" in the word "to" in line two of the title.

The amendment was adopted and the title as amended was agreed to.

Senator Mitchell moved that the vote by which House File No. 202 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Horchem, House File No. 416, a bill for an act to amend Section twenty-two hundred ninety-seven (2297), Code providing for liability of Estates for the keeping of insane patients at private hospitals, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 33.

Anderson	Horchem	Rule
Ball	Kimberly	Schaffter
Broxam	Kingland	Scott
Byington	Meredith	Shane
Cessna	Mitchell	Smith
Evans	Newberry	Stephenson
Fellows	Parker	Stoddard
Foskett	Price	Thompson
Foster	Proudfoot	White
Frailey	Rainbow	Whitmore
Greenell	Ratcliff	Wilson

Nays, 2.

Coburn	Haskell
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Absent or not voting, 15.

Adams	Edwards	Nelson
Arney	Hale	Pitt
Balkema	Holdoegel	Reed
Brookhart	Kimball	Taylor
Buse:	LeCompte	Van Alstine

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 Ball, House File No. 557, a bill for an act giving Boards of Supervisors, City and Town Councils, and School Boards the authority and power to employ visiting or public health nurses and to pay the salary and expenses thereof, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 35.

Adams	Horchem	Ratcliff
Anderson	Kimberly	Rule
Balkema	Kingland	Schaffter
Ball	LeCompte	Scott
Broxam	Meredith	Shane
Byington	Mitchell	Stephenson
Cessna	Nelson	Stoddard
Fellows	Newberry	Thompson
Foster	Parker	White
Frailey	Price	Whitmore
Greenell	Proudfoot	Wilson
Haskell	Rainbow	

Nays, none.

Absent or not voting, 15.

Arney	Evans	Pitt
Brookhart	Foskett	Reed
Buser	Hale	Smith
Coburn	Holdoegel	Taylor
Edwards	Kimball	Van Alstine

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 Foskett, Senate File No. 537, a bill for an act to provide for the collection of collateral inheritance tax and making appropriations therefor, a committee bill, was taken up, considered.

The bill was read for information.



Senator Foskett moved that the rules be suspended, the bill be considered engrossed and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Fralley	Ratcliff
Arney	Greenell	Rule
Balkema	Hale	Schaffter
Ball	Horchem	Scott
Broxam	Kingland	Shane
Byington	Mitchell	Smith
Cessna	Nelson	Stephenson
Coburn	Newberry	Stoddard
Edwards	Parker	Thompson
Evans	Price	White
Fellows	Proudfoot	Whitmore
Foskett	Rainbow	Wilson
Foster		

Nays, 2.

Kimball	Meredith
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Absent or not voting, 11.

Adams	Holdoegel	Reed
Brookhart	Kimberly	Taylor
Buser	LeCompte	Van Alstine
Haskell	Pitt	

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 Evans, House File No. 222, a bill for an act to amend the law as it appears in section four thousand nine hundred ninety-nine-a eighteen (4999-a 18) of the supplement to the Code, 1913, relating to duties and powers of commissioner; and to amend the law as it appears in section four thousand nine hundred ninety-nine-a thirty-one b (4999-a31b) of the supplement to the code, 1913, relating to salaries of assistants; and to amend the law as it appears in section four thousand nine hundred ninety-nine-a thirty-one c (4999-a31c) of the supplemental supplement to the code, 1915, relating to labeling of foods; and to amend section four hundred ninety-nine-a thirty-one f (4999-a31f) of the supplemental supplement to the code, 1915, relating to the appropriation of the dairy and food department, with report of

sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 32.

Anderson	Haskell	Rule
Arney	Horchem	Schaffter
Balkema	Kimberly	Scott
Byington	Kingland	Shane
Cessna	Meredith	Stephenson
Coburn	Mitchell	Stoddard
Edwards	Newberry	Taylor
Evans	Parker	Thompson
Fellows	Price	Whitmore
Foskett	Rainbow	Wilson
Fralley	Ratcliff	

Nays, none.

Absent or not voting, 18.

Adams	Greenell	Pitt
Ball	Hale	Proudfoot
Brookhart	Heldoegel	Reed
Brownam	Kimball	Smith
Buser	LeCompte	Van Alstine
Foster	Nelson	White

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

#### SENATE FILE WITHDRAWN.

By unanimous consent, Senator Evans withdrew Senate File No. 254 from further consideration.

#### CORRECTION OF JOURNAL.

The journal of April 14th was 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 passed the following concurrent resolution, in which the concurrence of the House was asked:

Senate concurrent resolution relative to providing the President of the Senate and Speaker of the House with one chair and gavel or other appropriate token in recognition of their fair and impartial manner in which they have discharged the arduous duties of their office.

Committee on the part of the House: Representatives Hauge, Perkins and Messer.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 567, a bill for an act to legalize certain warrants of the Independent School District of Fairbank, Buchanan, Fayette, Black Hawk and Bremer Counties, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 566, a bill for an act to authorize the voting and levying of a tax upon real estate contiguous to a railroad which has been heretofore constructed and the operation of which has been abandoned to aid in the reconstruction, improvement, repair or maintenance of such railroad.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 55, a bill for an act to amend the law as it appears in Section Thirteen Hundred Sixty-six (1366), Supplement to the Code, 1913, relative to Assessors' Books.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 518, a bill for an act to legalize certain conveyances heretofore made, purporting to convey real property situated within the

incorporated town of New Rippey, in Greene County, Iowa, and to correct errors in the title thereto.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 568, a bill for an act legalizing a grant of the board of supervisors of Buchanan county, Iowa, pursuant to resolution of said board of January 10, 1916, granting to the Fayette county utilities company, a corporation, its successors and assigns, the right to construct, operate and maintain a transmission line for the purpose of conducting electricity for light, heat and power purposes over and along that part of a certain public highway commonly known as the Oelwein-Independence highway, from the north line of Buchanan county to the north corporate line of the town of Hazelton, lying wholly within the said county of Buchanan.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 569, a bill for an act to legalize an ordinance of the incorporated town of Hazelton, Iowa, granting a franchise to the Fayette County Utilities Company, its successors and assigns, to maintain and operate an electric light, heat and power plant in said town.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 570, a bill for an act to legalize an ordinance of the incorporated city of Oelwein, Iowa, granting a franchise to the Oelwein Light, Heat and Power Company, a corporation, its successors or assigns, to acquire, construct, reconstruct, maintain and operate an electric light and power plant in said city.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 429, a bill for an act to amend Paragraph four (4) of Section four thousand six hundred twenty-three (4623) of the Code, relating to the admissibility as evidence of loose leaf or card or other form of entry used in the ordinary course of business.

#### HOUSE AMENDMENT.

Amend by striking out the word "requires" in line eleven of section one and inserting in lieu thereof the word "require".

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 304, a bill for an act to empower the board of supervisors to order the destruction of certain papers and records.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 823 of the supplement to the code, 1913, relating to the publication and posting of notices of assessment.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 514, a bill for an act to amend the law as it appears in section 813 of the supplemental supplement to the code, 1915, relating to the giving of notices for bids.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 515, a bill for an act to amend the law as it appears in section 810 of the supplemental supplement to the code, 1915, relating to the publication and posting of notices of hearing on resolution of necessity.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 567, a bill for an act to legalize certain warrants of the Independent School District of Fairbanks, Buchanan, Fayette, Black Hawk and Bremer Counties, Iowa.

Read first and second time and referred to sifting committee.

House File No. 566, a bill for an act to authorize the voting and levying of a tax upon real estate contiguous to a railroad which has been heretofore constructed and the operation of which has been abandoned to aid in the reconstruction, improvement, repair or maintenance of such railroad.

Read first and second time and referred to sifting committee.

#### INTRODUCTION OF BILLS.

By sifting committee, Senate File No. 539, a bill for an act Relating to the recording of deeds conveying to the public ground for street purposes.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. That on and after the taking effect of this Act, it shall be unlawful for the County Recorder of any County in this state to place upon the records of his office any deed which conveys or dedicates to the public, any ground for street purposes in cities and town in this state, unless said deed is accompanied with a certificate from the City Council of the City or town in which such ground is located, to the effect that such proposed street or streets have been brought to grade, already established by the city or to a grade satisfactory to said City Council.

Read first and second time and passed on file.

The president announced the receipt of a communication from the governor which required an executive session.

On motion of Senator Wilson, Senate went into executive session.

Senate arose from executive session and resumed regular session.

On the motion of Senator Wilson Senate adjourned until 8 p. m. today.

#### EVENING SESSION.

Senate met pursuant to adjournment, President pro tem Wallace H. Arney presiding.

The session was devoted to memorial services in honor of former members of the Senate who have passed away since the close of the last session of the General Assembly.

These memorial resolutions will appear in the bound volume of the Senate journal and will also be printed in a separate pamphlet.

On motion of Senator Rainbow, Senate adjourned until 9:00 a. m. Wednesday.

# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 16, 1919.

Senate met in regular session, President Ernest R. Moore, presiding.

Prayer was offered by Rev. F. O. Hansen, superintendent of the Lutheran hospital of Des Moines.

## MESSAGES FROM THE HOUSE.

The following message was received from the House:

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

House File No. 561, a bill for an act relating to the protection of certain game birds.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 compensate one Roy Harrison for injuries received while working in the Reformatory at Anamosa under sentence of court, whereby he lost a part of his right hand, and making an appropriation to pay such compensation.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 203, a bill for an act making appropriations for the State University of Iowa, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers College, the Iowa College for the Blind, and the Iowa School for the Deaf.



## HOUSE AMENDMENT.

Amend by striking from lines 4 and 5 of section 3 the words and figures "three hundred seventeen thousand dollars (\$317,000.00)" and inserting in lieu thereof the words and figures "Three Hundred Fifty Seven Thousand dollars (\$357,000.00)" and by striking from line 29 of section 3 the figures "10,000.00" and inserting in lieu thereof the figures "50,000.00".

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 238, a bill for an act to amend section three thousand ninety-two (3092) of the code, section three thousand ninety-three (3093) Supplement to the code, 1913, and section three thousand ninety-four (3094) Supplemental Supplement to the code, 1915, and section three thousand one hundred two (3102) of the code, relating to the time when a sub-contractor may file a mechanic's lien, owner's liability and discharge thereof, and to a sub-contractor's claim after sixty days.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 authorize the construction of a spur track by the state of Iowa, to the Iowa Soldiers' Home at Marshalltown, Iowa, and to make an appropriation therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 11, a bill for an act amending Chapter 2-a of title six of the supplement to the Code, 1913, relating to primary elections and nomination of candidates for office.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 335.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 547.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House concurrent resolution relative to clerks remaining after adjournment.

W. C. RAMSAY, *Chief Clerk.*

Also:

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 investigation of the Acts of the Iowa Commission to the Panama Exposition.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 536, a bill for an act relating to the care of persons afflicted with tuberculosis.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 224, a bill for an act requiring public contractors to file a bond.

W. C. RAMSAY, *Chief Clerk.*

#### HOUSE MESSAGES CONSIDERED.

House File No. 568, a bill for an act legalizing a grant of the board of supervisors of Buchanan county, Iowa, pursuant to resolution of said board of January 10, 1916, granting to the Fayette County Utilities Company, a corporation, its successors

and assigns, the right to construct, operate and maintain a transmission line for the purpose of conducting electricity for light, heat and power purposes over and along that part of a certain public highway commonly known as the Oelwein-Independence highway, from the north line of Buchanan county to the north corporate line of the town of Hazelton, lying wholly within the said county of Buchanan.

**Read first and second time and referred to sifting committee**

House File No. 569, a bill for an act to legalize an ordinance of the incorporated town of Hazelton, Iowa, granting a franchise to the Fayette County Utilities Company, its successors and assigns, to maintain and operate an electric light, heat and power plant in said town.

Read first and second time and referred to sifting committee.

House File No. 570, a bill for an act to legalize an ordinance of the incorporated city of Oelwein, Iowa, granting a franchise to the Oelwein Light, Heat and Power Company, a corporation, its successors or assigns, to acquire, construct, reconstruct, maintain and operate an electric light and power plant in said city.

Read first and second time and referred to sifting committee.

**HOUSE AMENDMENT CONCURRED IN.**

Senator Parker called up Senate File No. 429, amended by the House, and moved that the Senate concur in the following House amendment:

Amend by striking out the word "requires" in line eleven of section one and inserting in lieu thereof the word "require".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 35.

Anderson  
Arney  
Balkema  
Ball  
Buser  
Byington  
Coburn  
Fellows  
Foskett  
Foster  
Fralley  
Greenell

Haskell  
Horchem  
Kingland  
Meredith  
Mitchell  
Nelson  
Newberry  
Parker  
Proudfoot  
Price  
Ratcliff  
Rainbow

Reed  
Rule  
Schaffter  
Scott  
Shane  
Smith  
Stoddard  
Taylor  
Thompson  
Whitmore  
Wilson

Nays, none.

Absent or not voting, 15.

Adams	Evans	LeCompte
Brookhart	Hale	Pitt
Broxam	Holdoegel	Stephenson
Cessna	Kimball	Van Alstine
Edwards	Kimberly	White

The House amendment, having received a constitutional majority, was declared to have been concurred in by the Senate.

Senator Foskett called up Senate File No. 500 amended by the House, and moved that the Senate concur in the following amendments:

Amend Senate File No. 500 by striking out the colon (:) at the end of the twenty-fifth line and substituting a period (.) therefor, and by inserting after said period (.) and before the word "all" in the twenty-sixth line the following:

"SEC. 2. That there is hereby appropriated annually out of any funds in the state treasury not otherwise appropriated the sum of five thousand dollars (\$5,000.00) or so much thereof as shall be necessary, for the state board of health for the employment of the necessary assistants, and for defraying the traveling and incidental expenses incurred, in making the sanitary investigations, inspections and surveys required in carrying out the provisions of Section nine (9), Section one hundred five (105), Section one hundred six (106), and Section one hundred eight (108), of Senate File No. 475, Acts of the Thirty-eighth General Assembly.

SEC. 3. That"

On the question, "Shall the Senate concur?" the vote was:

Ayes, 39.

Anderson	Greenell	Ratcliff
Arney	Haskell	Reed
Balkema	Horchem	Rule
Ball	Kimberly	Schaffter
Brookhart	Kingland	Scott
Buser	Meredith	Shane
Byington	Mitchell	Smith
Coburn	Nelson	Stephenson
Edwards	Newberry	Stoddard
Evans	Parke	Taylor
Fellows	Price	Thompson
Foskett	Proudfoot	Whitmore
Frailay	Rainbow	Wilson

Nays, none.

## Absent or not voting, 11.

Adams	Hale	Pitt
Broxam	Holdoegel	Van Alstine
Cessna	Kimball	White
Foster	LeCompte	

The House amendment, having received a constitutional majority, was declared to have been concurred in by the Senate.

## THIRD READING OF BILLS.

On motion of Senator Brookhart, Senate File No. 506, a bill for an act to repeal section three thousand eight hundred sixty-nine (3869) of the code, and enact the following in lieu thereof relating to the amount of attorneys' fees to be taxed as costs in suits on written contracts providing for attorneys' fees, a committee bill, was taken up and considered.

Senator Brookhart 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 vote was:

## Ayes, 27.

Arney	Kimball	Scott
Balkema	Kimberly	Smith
Brookhart	Mitchell	Stephenson
Byington	Newberry	Stoddard
Evans	Parker	Taylor
Foster	Proudfoot	Thompson
Frailey	Rainbow	White
Greenell	Reed	Whitmore
Horchem	Schaffter	Wilson

## Nays, 6.

Buser	Kingland	Nelson
Coburn	Meredith	Rule

## Absent or not voting, 17.

Adams	Fellows	Pitt
Anderson	Foskett	Price
Ball	Hale	Ratcliff
Broxam	Haskell	Shane
Cessna	Holdoegel	Van Alstine
Edwards	LeCompte	

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

Senator Wilson moved that the vote by which Senate File No. 506 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Foster, Senate Joint Resolution No. 11, a joint resolution authorizing the joint committee on Retrenchment and Reform to extend the time, not exceeding ninety (90) days, for completing the work of codification now being done by the Code revision committee, was taken up, considered.

By unanimous consent, on request of Senator Foster, the word "committee" was changed to "commission" wherever it occurred in the title and in the resolution.

Senator Ball moved that the word and figure "ninety (90)" be stricken out of line 3 of title and also in the last line of the resolution and the word and figure "thirty (30)" be substituted therefor.

The motion prevailed.

Senator Foster moved that the rules be suspended, and the joint resolution be considered engrossed, and read a third time now, which motion prevailed and the joint resolution was read a third time.

On the question, "Shall the joint resolution be adopted?" the vote was:

Ayes, 42.

Adams	Frailey	Rainbow
Anderson	Greenell	Ratcliff
Ball	Hale	Reed
Brookhart	Haskell	Rule
Broxam	Horchem	Schaffter
Buser	Kimball	Scott
Byington	LeCompte	Shane
Cessna	Mitchell	Smith
Coburn	Nelson	Stephenson
Edwards	Newberry	Stoddard
Evans	Parker	Thompson
Fellows	Pitt	White
Foskett	Price	Whitmore
Foster	Proudfoot	Wilson

Nays, none.

Absent or not voting, 8.

Arney	Kimberly	Taylor
Balkema	Kingland	Van Aistine
Holdoegel	Meredith	

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

Senator Foster moved that the vote by which Senate Joint Resolution No. 11 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### SENATE INSISTS ON AMENDMENTS.

Senator Frailey moved that the Senate insist on its amendments to House amendment to Senate File. No. 497.

The motion prevailed.

Senator Frailey moved that a conference committee be appointed, which motion prevailed.

The president appointed as such committee on the part of the Senate, Senators Wilson, Rule, Smith and LeCompte.

#### 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. 479, a bill for an act relating to property exempt from taxation.

#### HOUSE AMENDMENTS.

Amend by adding the following after the period following the last word in Section 1 of said bill: "provided, however, that no deduction shall be made unless the bank or trust company claiming the same shall have been the owner in good faith and not for the sole purpose of securing such deduction, of said securities for a period of more than sixty (60) days prior to December thirty-first of the year preceding that for which the assessment is made."

Also amend as follows:

"SEC. 2. This act being of immediate importance shall become effective upon the publication thereof in the Des Moines Register and the Des Moines Capital, newspapers published in Des Moines, Iowa."

W. C. RAMSAY, *Chief Clerk.*

## HOUSE AMENDMENTS CONCURRED IN.

Senator Ratcliff called up Senate File No. 479, amended by the House, and moved that the Senate concur in the following House amendment:

Amend by adding the following after the period following the last word in Section 1 of said bill: "provided, however, that no deduction shall be made unless the bank or trust company claiming the same shall have been the owner in good faith and not for the sole purpose of securing such deduction, of said securities for a period of more than sixty (60) days prior to December thirty-first of the year preceding that for which the assessment is made."

Also amend as follows:

"Sec. 2. This act being of immediate importance shall become effective upon the publication thereof in the Des Moines Register and the Des Moines Capital, newspapers published in Des Moines, Iowa."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 42.

Adams	Hale	Rainbow
Anderson	Haskell	Ratcliff
Balkema	Horchem	Reed
Ball	Kimball	Rule
Brookhart	Kimberly	Schaffter
Broxam	LeCompte	Scott
Buser	Meredith	Shane
Cessna	Mitchell	Smith
Coburn	Nelson	Stephenson
Edwards	Newberry	Stoddard
Evans	Parker	Taylor
Fellows	Pitt	Thompson
Frailey	Price	Whitmore
Greenell	Proudfoot	Wilson

Nays, none.

Absent or not voting, 8.

Arney	Foster	Van Alstine
Byington	Holdoegel	White
Foskett	Kingland	

The House amendment, having received a constitutional majority, was declared to have been concurred in by the Senate.

## HOUSE RESOLUTION CONCURRED IN.

Senator Parker called up for consideration the following House concurrent resolution:



*Whereas*, the Iowa Commission to the Panama Pacific Exposition drew Sixty Thousand (\$60,000) from the State Treasury, and

*Whereas*, the Executive Council, as directed by law, have only audited Thirty-nine Thousand Seven Hundred Seventy-three and 10-100 (\$39,773.10) Dollars of said Commission's bills, leaving a balance of Twenty Thousand Two Hundred Twenty-six and 90-100 (\$20,226.90) Dollars un-audited, and

*Whereas*, the press of Iowa has from time to time charged extravagance and irregularities in the expenditure of these funds,

*Now, Therefore, Be It Resolved by the House, the Senate concurring*, that the Joint Committee of Retrenchment and Reform be directed to publicly investigate the entire acts of said Commission and expenditures and all charges connected therewith, and make a public report and audit of said acts and expenditures to the Executive Council, within ninety days after the passage of this resolution.

By unanimous consent the resolution was taken up and considered.

On motion of Senator Parker, the Senate concurred in the resolution.

### THIRD READING OF BILLS.

On motion of Senator Haskell, House File No. 544, a bill for an act to require every railroad, whether operated by steam or electricity to acquire rights of way for, construct, connect, maintain, and operate spur tracks, and providing for payment thereof, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stoddard moved that the bill be referred to the sifting committee.

Senator Anderson moved as a substitute that further action be deferred until tomorrow at 10:00 o'clock.

Senator Proudfoot raised the point of order that the discussion now going on was out of order as a motion was pending to defer action.

The president held the point of order well taken.

Senator Anderson withdrew his motion.

Senator Stoddard withdrew his motion.

Senator Kimball moved that action be deferred until afternoon today, to be taken up immediately on convening.

Senator Meredith raised the point of order that the question was on the motion to defer until 1:00 p. m.

The point was held to be well taken.

Senator Kimball withdrew his motion.

Senator Price offered the following amendment and moved its adoption:

Amend House File No. 544 by adding the word "nine" following the comma after the word "dock" in line eight of section one.

The amendment was adopted.

Senator Kimball offered the following amendment and moved its adoption:

Amend House File No. 544 by adding to section 1 the following:

"which questions and whether such spur track shall be established shall be determined by the Railroad Commission."

The amendment was adopted.

Senator Edwards was called to the chair at 11:00 a. m.

Senator Anderson moved the previous question, which motion prevailed and the previous question was ordered.

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

Senator Haskell invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 24.

Adams	Greenell	Rainbow
Anderson	Haskell	Ratcliff
Arney	Kimball	Schaffter
Balkema	Kingland	Shane
Brookhart	LeCompte	Smith
Broxam	Nelson	Taylor
Byington	Newberry	White
Fellows	Price	Whitmore

## Nays, 18.

Buser	Hale	Rule
Cessna	Horchem	Scott
Coburn	Meredith	Stephenson
Edwards	Parker	Stoddard
Foster	Proudfoot	Thompson
Frailey	Reed	Van Alstine

## Absent or not voting, 8.

Ball	Holdoegel	Pitt
Evans	Kimberly	Wilson
Foskett	Mitchell	

So the bill, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

Senator Frailey moved that the vote by which House File No. 544 failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

President Moore resumed the chair at 11:30.

On the question, "Shall the motion prevail?" the vote was:

## Ayes, 17.

Buser	Frailey	Scott
Cessna	Hale	Stoddard
Coburn	Meredith	Thompson
Edwards	Proudfoot	Van Alstine
Evans	Reed	White
Foster	Rule	

## Nays, 24.

Adams	Haskell	Rainbow
Anderson	Horchem	Ratcliff
Arney	Kimball	Schaffter
Balkema	Kingland	Shane
Brookhart	LeCompte	Smith
Broxam	Nelson	Stephenson
Byington	Newberry	Taylor
Fellows	Parker	Whitmore

## Absent or not voting, 9.

Ball	Holdoegel	Pitt
Foskett	Kimberly	Price
Greenell	Mitchell	Wilson

The motion was lost.

## REPORT OF COMMITTEE.

Senator Proudfoot, from the sifting committee, submitted the following report:

MR. PRESIDENT—Your sifting committee, to whom was referred House File No. 560, a bill for an act to provide for the improving of public highways extending through or adjacent to lands belonging to state institutions including draining, grading, oiling or paving, beg leave to report they have had the same under consideration and recommend the same be referred to the Committee on Appropriations.

A. V. PROUDFOOT, *Chairman.*

The report was adopted and the bill was referred to the committee on appropriations.

## BILLS SIGNED BY THE GOVERNOR.

A communication was received from the governor saying he had on April 11, 1919, approved and signed Senate Files Nos. 178, 115, 410, 457, 267, 402, 275, 321, 381, 420, 161, 392, 95, 8, 159, 481, 326, 145, 458, 103, 167, 345, 443 and 272.

## THIRD READING OF BILLS.

Senator Proudfoot moved that the vote by which Senate File No. 492 passed the Senate and also the vote by which it passed to its third reading be reconsidered.

The motion prevailed.

Senator Proudfoot moved that House File No. 533, a bill for an act to amend the law as it appears in section eighteen hundred twenty-two (1822), supplement to the code, 1913, relating to the matter of fraternal beneficiary societies, orders and associations, and the issuance of certificates by said associations, be substituted for Senate File No. 492.

The motion prevailed.

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

On the question, "Shall the bill pass?" the vote was:

## Ayes, 34.

Adams	Foster	Rainbow
Anderson	Hale	Ratcliff
Arney	Horchem	Reed
Balkema	Kimball	Rule
Brookhart	Kingland	Schaffter
Broxam	Meredith	Scott
Buser	Nelson	Shane
Byington	Newberry	Stephenson
Coburn	Parker	Stoddard
Edwards	P-ice	Van Alstine
Evans	Proudfoot	Whitmore
Fellows		

Nays, none.

Absent or not voting, 16.

Ball	Holdoegel	Smith
Cassna	Kimberly	Taylor
Eoskett	LeCompte	Thompson
Fralley	Mitchell	White
Greenell	Pitt	Wilson
Haskell		

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

Senator Proudfoot moved that the vote by which House File No. 553 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

By unanimous consent, Senator Proudfoot withdrew Senate File No. 492 from further consideration.

#### MOTIONS TO RECONSIDER FILED.

MR. PRESIDENT—I move to reconsider the vote by which House File No. 544 failed to pass the Senate.

ADDISON M. PARKER.

MR. PRESIDENT—I move to reconsider the vote by which House File No. 544 passed to its third reading.

ADDISON M. PARKER.

#### COPIES OF ROAD BILL ORDERED.

Senator Rule moved that 2000 copies of the road bill be printed for distribution.

The motion prevailed.

## FROM SIFTING COMMITTEE.

H. F. 564 by sifting committee.

H. F. 526 by Hauge.

H. F. 382 by Hook.

H. F. 482 by Moen.

H. F. 567 by sifting committee.

H. F. 239 by Davidson

H. F. 484 by Edson

H. F. 523 by Scott.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 93, a bill for an act to limit the commencement of an action for the recovery of an interest in real estate, based upon a claim arising prior to A. D. 1900, unless notice of such claimed right or interest is given as herein provided.

Also:

Senate File No. 274, a bill for an act to amend section nineteen hundred eighty-nine-a twenty-six (1989-a26) and section nineteen hundred eighty-nine-a twenty-seven (1989-a27) Supplement to the Code, 1913, relating to length of time for which bonds may be issued and payment made.

Also:

Senate File No. 240, a bill for an act to amend the law as it appears in Section twenty-four hundred sixteen (2416) of the Code, 1897, relating to the disposition of liquors seized and condemned to forfeiture by the Court.

Also:

Senate File No. 503, a bill for an act to legalize certain warrants issued by the Board of Supervisors of Wapello County, Iowa.

Also:

Senate File No. 255, a bill for an act to amend Section fifteen hundred twenty-seven-c (1527-c) of the Supplement to the Code, 1913, relating to the transmission of electric light and power.

Also:

Senate File No. 190, a bill for an act to amend section eight hundred eighty-seven (887) of the Code, by authorizing a special extra levy not exceeding five (5) mills for the years 1919 and 1920 for the general fund of all cities and towns.

Also:

Senate File No. 24, a bill for an act to amend section two hundred and fifty-four-a two (254-a2) Supplemental supplement to the code, 1915, relating to the compensation of shorthand reporters of the district courts.

Also:

Senate File No. 494, a bill for an act making an appropriation for the Iowa School for the Deaf.

Also:

Senate File No. 317, a bill for an act authorizing the state of Iowa to improve a short stretch of highway, approximately a half mile long, extending through state property along the west shore of Spirit Lake, and appropriating the sum of twelve thousand (\$12,000) dollars, or so much thereof as may be necessary for the making of such improvements.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 93, a bill for an act to limit the commencement of an action for the recovery of an interest in real estate, based upon a claim arising prior to A. D. 1900, unless notice of such claimed right or interest is given as herein provided.

Also:

Senate File No. 274, a bill for an act to amend section nineteen hundred eighty-nine-a twenty-six (1989-a26) and section nineteen hundred eighty-nine-a twenty-seven (1989-a27) Supplement to the Code, 1913, relating to length of time for which bonds may be issued and payment made.

Also:

Senate File No. 240, a bill for an act to amend the law as it appears in Section twenty-four hundred sixteen (2416) of the Code, 1897, relating to the disposition of liquors seized and condemned to forfeiture by the Court.

Also:

Senate File No. 503, a bill for an act to legalize certain warrants issued by the Board of Supervisors of Wapello County, Iowa.

Also:

Senate File No. 255, a bill for an act to amend Section fifteen hundred twenty-seven-c (1527-c) of the Supplement to the Code, 1913, relating to the transmission of electric light and power.

Also:

Senate File No. 190, a bill for an act to amend section eight hundred eighty-seven (887) of the Code, by authorizing a special extra levy not exceeding five (5) mills for the years 1919 and 1920 for the general fund of all cities and towns.

Also:

Senate File No. 24, a bill for an act to amend section two hundred and fifty-four-a two (254-a2) Supplemental supplement to the code, 1915, relating to the compensation of shorthand reporters of the district courts.

Also:

Senate File No. 494, a bill for an act making an appropriation for the Iowa School for the Deaf.

Also:

Senate File No. 317, a bill for an act authorizing the state of Iowa to improve a short stretch of highway, approximately a half mile long, extending through state property along the west shore of Spirit Lake, and appropriating the sum of twelve thousand (\$12,000) dollars, or so much thereof as may be necessary for the making of such improvements.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*  
WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate in the presence of the Senate he had signed Senate Files Nos. 93, 240, 274, 503, 317, 494, 24, 190 and 255.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:



MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 16th day of April, 1919, sent to the governor for a claim arising prior to A. D. 1900, unless notice of such claimed right or his approval, Senate File No. 93, a bill for an act to limit the commencement of an action for the recovery of an interest in real estate, based upon interest is given as herein provided.

Also:

Senate File No. 274, a bill for an act to amend section nineteen hundred eighty-nine-a twenty-six (1989-a26) and section nineteen hundred eighty-nine-a twenty-seven (1989-a27) Supplement to the Code, 1913, relating to length of time for which bonds may be issued and payment made.

Also:

Senate File No. 240, a bill for an act to amend the law as it appears in Section twenty-four hundred sixteen (2416) of the Code, 1897, relating to the disposition of liquors seized and condemned to forfeiture by the Court.

Also:

Senate File No. 503, a bill for an act to legalize certain warrants issued by the Board of Supervisors of Wapello County, Iowa.

Also:

Senate File No. 255, a bill for an act to amend Section fifteen hundred twenty-seven-c (1527-c) of the Supplement to the Code, 1913, relating to the transmission of electric light and power.

Also:

Senate File No. 190, a bill for an act to amend section eight hundred eighty-seven (887) of the Code, by authorizing a special extra levy not exceeding five (5) mills for the years 1919 and 1920 for the general fund of all cities and towns,

Also:

Senate File No. 24, a bill for an act to amend section two hundred and fifty-four-a two (254-a2) Supplemental supplement to the code, 1915, relating to the compensation of shorthand reporters of the district courts.

Also:

Senate File No. 494, a bill for an act making an appropriation for the Iowa School for the Deaf.

Also:

Senate File No. 317, a bill for an act authorizing the state of Iowa to improve a short stretch of highway, approximately a half mile long, ex-

tending through state property along the west shore of Spirit Lake, and appropriating the sum of twelve thousand (\$12,000) dollars, or so much thereof as may be necessary for the making of such improvements.

EUGENE SCHAFFER, *Chairman*.

Adopted.

SENATE FILE WITHDRAWN.

MR. PRESIDENT—Upon the suggestion of Senator Foster, chairman of the committee on banks and banking, I ask consent to withdraw Senate File No. 454 from further consideration.

B. M. STODDARD.

The consent was given and the bill withdrawn.

THIRD READING OF BILLS.

On motion of Senator Newberry, House File No. 344, a bill for an act to amend section two thousand seven hundred thirty-four-P1 (2734-P1) supplement to the code, 1913, relating to teaching experience; to repeal section two thousand seven hundred thirty-four-P2 (2734-P 2), supplement to the code, 1913, relating to provisional certificates; and to amend section two thousand seven hundred thirty-four-s (2734-s), supplement to the code, 1913, relating to special examinations, with report of sifting committee recommending amendments and passage, was taken up and considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend House File No. 344 as follows:

That all after the word "issued" in the seventh line of Section 3 of the printed bill be stricken and that a period be inserted after said word "issued."

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Adams	Buser	Hale
Anderson	Byington	Haskell
Arney	Cessna	Holdoegel
Balkema	Coburn	Horchem
Brookhart	Edwards	Kimball
Broxam	Fellows	Kimberly

Kingland	Rainbow	Shane
Meredith	Ratcliff	Smith
Nelson	Reed	Stephenson
Newberry	Rule	Stoddard
Parker	Schaffter	Van Alstine
Price	Scott	Whitmore
Proudfoot		

Nays, none.

Absent or not voting, 13.

Ball	Greenell	Taylor
Evans	LeCompte	Thompson
Foskett	Mitchell	White
Poster	Pitt	Wilson
Fralley		

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

Senator Newberry moved that the vote by which House File No. 344 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Adams, House File No. 148, a bill for an act amending section number eighteen (18) of chapter number four hundred twenty-nine (429) of the Laws of the Thirty-seventh General assembly providing for the organizing, admitting, licensing and regulation of insurance companies other than life, by prescribing the amount of capital required for companies insuring livestock exclusively, with report of sifting committee recommending passage was taken up, considered and the report of the committee adopted.

The bill was read for information.

Senator Adams 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 vote was:

Ayes, 35.

Adams	Brookhart	Coburn
Anderson	Broxam	Edwards
Arney	Buser	Fralley
Balkema	Byington	Hale

Haskell	Newberry	Schaffter
Holdoegel	Parker	Scott
Horchem	Price	Shane
Kimball	Proudfoot	Stephenson
Kimberly	Rainbow	Stoddard
Kingland	Ratcliff	Van Alstine
Meredith	Reed	Whitmore
Nelson	Rule	

Nays, none.

Absent or not voting, 15.

Ball	Foster	Smith
Cessna	Greenell	Taylor
Evans	LeCompte	Thompson
Fellows	Mitchell	White
Foskett	Pitt	Wilson

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

Senator Adams moved that the vote by which House File No. 148 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### HOUSE FILE NO. 420 RECALLED FROM HOUSE.

Senator Kingland moved that the House be requested to return House File No. 420.

The motion prevailed.

#### THIRD READING OF BILLS.

On motion of Senator Balkema, House File No. 482, a bill for an act to amend the law as it appears in section four hundred fifty-eighty-c (458-c), supplement to the code, 1913, relating to claims for damages for killing or injury of domestic animals, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Newberry offered the following amendment and moved its adoption:

Amend by striking out the words "a member of the Board of Supervisors" in lines 5 and 6 in section 1 and inserting in lieu thereof the words "a member of the Township Board of Trustees in the county wherein the claim is filed and".

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 8.

Anderson  
Balkema  
Coburn

Horchem  
LeCompte  
Shane

Stoddard  
Whitmore

Nays, 25.

Brookhart  
Broxam  
Buser  
Byington  
Cessna  
Edwards  
Fellows  
Fralley  
Hale

Haskell  
Holdoeogel  
Kimberly  
Meredith  
Nelson  
Parker  
Price  
Proudfoot

Rainbow  
Reed  
Rule  
Smith  
Stephenson  
Thompson  
White  
Wilson

Absent or not voting, 17.

Adams  
Arney  
Ball  
Evans  
Foskett  
Poster

Greenell  
Kimball  
Kingland  
Mitchell  
Newberry  
Pitt

Ratcliff  
Schaffter  
Scott  
Taylor  
Van Alstine

So the bill, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

#### AMENDMENT FILED.

MR. PRESIDENT—I move to amend Senate File No. 538 by adding at the close of section one the following: "The State Fish and Game Warden shall furnish bond in the penal sum of Ten Thousand Dollars (\$10,000.00)."

P. C. HOLDOEGEL.

#### SENATE FILE WITHDRAWN.

By unanimous consent, Senator Whitmore withdrew Senate File No. 378 from further consideration.

On motion of Senator Thompson, Senate adjourned until 1:15 today.

## AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

## THIRD READING OF BILLS.

On motion of Senator Van Alstine, Senate Joint Resolution No. 9, a joint resolution relating to the purchase and installation of new desks, in the State House for the use of the members of the Senate and House of Representatives, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Alstine moved that the rules be suspended, and the joint resolution be considered engrossed, and read a third time now, which motion prevailed, and the joint resolution was read a third time.

Senator Van Alstine invoked rule 8.

On the question, "Shall the joint resolution be adopted?" the vote was:

Ayes, 22.

Anderson  
Arney  
Brookhart  
Broxam  
Byington  
Fellows  
Fralley  
Hoidoegel

Horchem  
Kimball  
Kimberly  
LeCompte  
Meredith  
Newberry  
Parker

Proudfoot  
Ratcliff  
Reed  
Schaffter  
Scott  
Stoddard  
Thompson

Nays, 19.

Buser  
Cessna  
Coburn  
Edwards  
Foskett  
Foster  
Hale

Haskell  
Kingland  
Nelson  
Rainbow  
Rule  
Shane

Stephenson  
Taylor  
Van Alstine  
White  
Whitmore  
Wilson

Absent or not voting, 9.

Adams  
Balkema  
Ball

Evans  
Greenell  
Mitchell

Pitt  
Price  
Smith

So the joint resolution, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

MOTION TO RECONSIDER FILED.

I move to reconsider the vote by which Senate Joint Resolution No. Nine (9) failed to pass the Senate.

H. S. VAN ALSTINE.

THIRD READING OF BILLS.

On motion of Senator Thompson, House File No. 500, a bill for an act to amend chapter two-a (2-a) title ten (X) of the supplement to the code, 1913, relating to drainage districts and to provide for the establishment of additional pumping stations and to provide for the division of districts in which pumping plants have been established and the creation of new districts by such division and to provide for the manner of such division and the payment of the obligations of the original district and to provide for the establishing of sub-drainage districts as independent districts and to provide for the construction of settling basins and the condemnation of lands for the purpose of constructing settling basins and inlets thereto, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Buser raised the point of order that action on the matter now under consideration was out of order, the same subject having been disposed of by the action of the Senate on Senate File No. 465.

The president held that the point of order was not well taken.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Arney	Evans	Meredith
Balkema	Foster	Mitchell
Brookhart	Frailey	Newberry
Broxam	Hale	Parker
Byington	Haskell	Price
Cessna	Holdoegel	Proudfoot
Coburn	Horchem	Rainbow
Edwards	Kimberly	Ratcliff

Reed	Smith	Van Alstine
Rule	Stephenson	White
Schaffter	Stoddard	Whitmore
Scott	Taylor	Wilson
Shane	Thompson	

Nays, 2.

Buser                      Kingland

Absent or not voting, 10.

Adams	Foskett	LeCompte
Anderson	Greenell	Nelson
Ball	Kimball	Pitt
Fellows		

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

Senator Thompson moved that the vote by which House File No. 500 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### MOTION TO RECONSIDER CALLED UP.

Senator Parker called up the motion filed by him this morning to reconsider the vote by which House File No. 544 failed to pass the Senate. Also the vote by which the bill passed to its third reading.

On the question, "Shall the vote be reconsidered?" the vote was:

Ayes, 20.

Balkema	Kimball	Ratcliff
Brookhart	Kimberly	Shane
Broxam	Kingland	Smith
Byington	Newberry	Stephenson
Haskell	Parker	Taylor
Hoidoegel	Price	Whitmore
Horchem	Rainbow	

Nays, 12.

Cessna	Hale	Scott
Coburn	Meredith	Stoddard
Edwards	Proudfoot	Thompson
Frailey	Rule	Wilson



## Absent or not voting, 18.

Adams	Fellows	Nelson
Anderson	Foskett	Pitt
Arney	Foster	Reed
Ball	Greenell	Schaffter
Buser	LeCompte	Van Alstine
Evans	Mitchell	White

The motion to reconsider prevailed.

President pro tem Arney was called to the chair at 2:35.

Senator Haskell 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 vote was:

## Ayes, 23.

Anderson	Haskell	Rainbow
Balkema	Kimball	Ratcliff
Ball	Kimberly	Shane
Brookhart	Kingland	Smith
Byington	Nelson	Stephenson
Foskett	Newberry	Taylor
Foster	Parker	Whitmore
Greenell	Price	

## Nays, 18.

Arney	Holdoegel	Rule
Coburn	Horchem	Schaffter
Edwards	LeCompte	Scott
Evans	Meredith	Thompson
Frailey	Mitchell	Van Alstine
Hale	Proudfoot	Wilson

## Absent or not voting, 9.

Adams	Cessna	Reed
Broxam	Fellows	Stoddard
Buser	Pitt	White

So the bill having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

On motion of Senator Balkema, House File No. 122, a bill for an act to amend chapter two hundred thirty-one (231), Acts of the thirty-seventh (37) General Assembly, by increasing the appropriation from twenty-five thousand dollars (\$25,000.00) to seventy-

five thousand dollars (\$75,000.00), was taken up and considered, the House having refused to concur in Senate amendments.

Under the call of the Senate filed on April 12th and found on page 1940 of the journal the roll was called and showed as follows:

Present, 43.

Anderson	Hale	Proudfoot
Arney	Haskell	Rainbow
Balkema	Holdoegel	Ratcliff
Ball	Horchem	Rule
Brookhart	Kimball	Schaffter
Broxam	Kimberly	Scott
Byington	Kingland	Shane
Cessna	LeCompte	Smith
Coburn	Meredith	Stephenson
Edwards	Mitchell	Taylor
Evans	Nelson	Van Alstine
Foskett	Newberry	White
Foster	Parker	Whitmore
Frailley	Price	Wilson
Greenell		

Absent, 7.

Adams	Pitt	Stoddard
Buser	Reed	Thompson
Fellowe		

The absentees appeared in the Senate chamber and the attendance was complete.

Senator Balkema moved that the Senate recede from the following amendment:

I move to amend House File No. 122 by adding thereto the following:

Sec. 5. That chapter 231 of the acts of the 37th General Assembly be amended by adding thereto the following:

"However, the attorney general and the state agents are hereby prohibited from making any costs to any county in the state unless the prosecution which they bring or may bring is authorized by a judge of the judicial district of which said county is a part."

Senator Wilson moved that the motion of Senator Balkema be laid on the table.

A roll call was demanded.

On the question, "Shall the motion prevail?" the vote was:

## Ayes, 25.

Anderson	Haskell	Ratcliff
Ball	Horchem	Rule
Broxam	Kimball	Scott
Buser	Kimberly	Smith
Byington	Mitchell	Stephenson
Evans	Pitt	Thompson
Frailey	Price	White
Greenell	Rainbow	Wilson
Hale		

## Nays, 25.

Adams	Foster	Proudfoot
Arney	Holdoegel	Reed
Balkema	Kingland	Schaffter
Brookhart	LeCompte	Shane
Cessna	Meredith	Stoddard
Coburn	Nelson	Taylor
Edwards	Newberry	Van Alstine
Fellows	Parker	Whitmore
Foskett		

Absent or not voting, none.

The motion was lost.

On the question, "Shall the Senate recede from the amendment?" the vote was:

## Ayes, 25.

Adams	Foster	Proudfoot
Arney	Holdoegel	Reed
Balkema	Kingland	Schaffter
Ball	LeCompte	Shane
Brookhart	Meredith	Stoddard
Coburn	Nelson	Taylor
Edwards	Newberry	Van Alstine
Fellows	Parker	Whitmore
Foskett		

## Nays, 25.

Anderson	Haskell	Ratcliff
Broxam	Horchem	Rule
Buser	Kimball	Scott
Byington	Kimberly	Smith
Cessna	Mitchell	Stephenson
Evans	Pitt	Thompson
Frailey	Price	White
Greenell	Rainbow	Wilson
Hale		

The Senate refused to recede.

Senator Balkema moved that the Senate recede from the following amendment:

I move to amend House File No. 122 by adding thereto the following:

Sec. 2. Any person or persons other than peace officers already under bond, so selected or appointed by the governor or attorney general shall be required to give bond to the state of Iowa in the sum of five thousand dollars (\$5,000).

Also renumber section 2 as section 3.

Senator Kimball raised the point of order that as the Senate had refused to recede from one amendments, the bill should go to a conference committee and no other action could be taken.

The president held the point of order not well taken.

On the question, "Shall the Senate recede?" the vote was:

Ayes, 22.

Adams	Foster	Proudfoot
Arney	Holdoegel	Schaffter
Balkema	Kingland	Shane
Ball	Meredith	Stoddard
Brookhart	Nelson	Taylor
Coburn	Newberry	Van Alstine
Fellows	Parker	Whitmore
Foskett		

Nays, 28.

Anderson	Haskell	Ratcliff
Broxam	Horchem	Reed
Buser	Kimball	Rule
Byington	Kimberly	Scott
Cessna	LeCompte	Smith
Edwards	Mitchell	Stephenson
Evans	Pitt	Thompson
Frailey	Price	White
Greenell	Rainbow	Wilson
Hale		

The Senate refused to recede.

Senator Balkema moved that a conference committee be appointed.

Senator Proudfoot raised the point of order that the Senate having refused to recede from its amendments a conference committee must be appointed.

The president held the point of order well taken.

Senator Foskett moved that the call of the Senate be raised.

The motion prevailed.

#### MOTION TO RECONSIDER CALLED UP.

Senator Newberry called up the motion filed by him to reconsider the vote by which Senate File No. 291, a bill for an act

establishing a medical department of the state library, to provide for the cataloguing and shelving of books thereof, making appropriation therefor and providing for an assistant librarian and fixing the salary of such assistant, failed to pass the Senate.

The bill was read for information.

The motion to reconsider prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28.

Balkema	Kimball	Rainbow
Brookhart	Kimberly	Rule
Broxam	Kingland	Schaffter
Byington	LeCompte	Scott
Edwards	Mitchell	Shane
Evans	Newberry	Stoddard
Foster	Parker	Van Alstine
Frailey	Price	White
Greenell	Proudfoot	Whitmore
Horchem		

Nays, 8.

Ball	Meredith	Smith
Buser	Nelson	Stephenson
Cessna	Rateliff	

Absent or not voting, 14.

Adams	Foskett	Reed
Anderson	Hale	Taylor
Arney	Haskell	Thompson
Coburn	Holdoegel	Wilson
Fellows	Pitt	

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

Senator Newberry moved that the vote by which Senate File No. 291 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Frailey, House File No. 553, a bill for an act to amend the law as it appears in section eighteen hundred twenty-two (1822), supplement to the code, 1913, relating to the matter of fraternal beneficiary societies, orders and associations, and the issuance of certificates by said association, was taken up and considered.

Further action was deferred.

## REPORT OF CONFERENCE COMMITTEE ON HOUSE FILE NO. 550.

Senator Taylor presented the following report:

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

Your conference committees, to whom was referred House File No. 550, a bill for an act to repeal Chapter two-b (2-b) of Title VIII, supplement to the Code, 1913, relating to the licensing and regulation of motor vehicles and to enact a substitute therefor and the amendment made thereto by the Senate in which amendments the House refused to concur and on which amendments the Senate insisted, beg leave to report that said committees have met in joint session and have had said bill, and all matters connected therewith and referred to them, under consideration and report and recommend as follows:

First. That the title of said bill be amended by striking out the period at the end thereof and adding to said title the following words, "and prescribing penalties for the violation thereof".

Second. That the bill be further amended by striking out all after the enacting clause and substituting in lieu thereof the sections appearing in this report and following the signatures of this committee.

T. E. TAYLOR,  
W. H. SCOTT,  
EUGENE SCHAFFER,  
W. T. EVANS,  
C. B. SANTEE,  
WM. BECKER,  
A. K. WESTERVELT,  
U. S. ALDERMAN.

Section 1. That Chapter two-b (2-b) of title VIII of the supplement to the code, 1913, be and is hereby repealed and the following enacted in lieu thereof.

Sec. 2. In all laws of this state regulating motor vehicles, the term "motor vehicle", except where otherwise expressly provided, shall include all vehicles propelled by any power other than muscular power, except traction engines, road rollers, fire wagons and engines, police patrols, city or town ambulances, city and government vehicles clearly marked as such, and such vehicles as are run only upon tracks or rails. The term "local authorities" shall include all officers of counties, cities or towns, as well as all boards, committees, or other public officials of such counties, cities or towns. "Motorcycle" shall include all motor vehicles designed to travel on not more than three wheels in contact with the ground, and of not exceeding ten horsepower, and of not exceeding the weight of five hundred pounds unladen. A trailer shall be deemed to be any vehicle, which is at any time drawn upon the public highway by a motor vehicle excepting any implements of husbandry temporarily drawn,

propelled or moved upon such highway. "Highway" shall include any public highway, county road, state highway or state road, public street, avenue, alley, park, parkway, driveway, square or place, bridge, viaduct, trestle, or any other territory or structure, whether public or private designed, intended or used by or for the general public for the passage of vehicles, in any county, or incorporate city or town within the state of Iowa; "local authorities" shall include all boards of supervisors, trustees or councils, commissions, committees, and other public officials of counties, incorporated cities or towns; "chauffeur" shall mean any person who operates an automobile in the transportation of persons or freight and who receives any compensation for such service in wages, commission or otherwise, paid directly or indirectly, or who as owner or employee operates an automobile carrying passengers or freight for hire; provided, however, that this definition shall not include manufacturers' agents, proprietors of garages and dealers, salesmen, mechanics, or demonstrators of automobiles in the ordinary course of their business; "nonresidents" shall mean residents of states or countries other than the state of Iowa and of countries other than the United States whose sojourn in this state, or whose occupation or their regular place of abode or business in this state, if any, covers a total period of less than three months in the calendar year; "owner" shall include any person, firm, association, or corporation, having the lawful ownership, use or control, or the right to the use or control, of a motor vehicle, under a lease or otherwise, for a period of ten or more successive days. The term "where a vehicle is kept" shall refer to the county of residence of the owner or to the county where the vehicle is mainly kept if it be different from that of the residence of the owner. The words "license fee" shall have the same meaning as "registration fee" and when a motor vehicle is "licensed" it is also "registered" and vice versa. A dealer shall include "dealers and manufacturers"; "manufacturer" or "dealer" shall signify a person, firm, association, or corporation regularly in the business of having in his, its or their possession motor vehicles for sale or trade and for use and operation pursuant thereto, and shall be considered owners of motor vehicles manufactured or dealt in by them for the purposes of this act, prior to sale and delivery thereof, and of all motor vehicles in their possession and operated or driven by them or by their agents or employees; provided, however, that anything to the contrary herein notwithstanding, the determination of the department shall be final and conclusive upon the question whether or not an applicant for registration shall be a manufacturer or dealer within the meaning and intent of this act; "garage" shall mean every place of business where motor vehicles are received for housing, storage or repair, for compensation; "intersecting highway" shall mean any highway which joins another at any angle, whether or not it crosses the other; "person" shall include any corporation, association, copartnership, company, firm, or other aggregation of individuals and where the term "person" is used in connection with the registration of a motor vehicle, it shall include any corporation, association, copartnership, company, firm, or other aggregation of individuals which owns or controls such motor vehicle as actual owner, or for the purpose of sale or for renting, whether as agent, salesman, or otherwise; "department" as used

in this act shall mean the secretary of state; "specially constructed" motor vehicle shall mean a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type of a generally recognized manufacturer of motor vehicles; provided, that in case of dispute the determination of the department as to the character of construction of any such motor vehicle shall be conclusive; "reconstructed motor vehicle" shall mean a motor vehicle which shall have been assembled or constructed largely by means of essential parts, new or used, derived from other motor vehicles or makes of motor vehicles of various names, models or types, or which, if originally otherwise, constructed, shall have been materially altered by the removal of essential parts, or by addition or substitution of essential parts, new or used, derived from motor vehicles or makes of motor vehicles, provided, that for the purpose of this act the term "essential parts" shall include, not only integral parts but also body parts such as fenders, hood, cowl, and other parts, the removal, alteration or substitution of which will tend to conceal the identity or substantially alter the appearance of the motor vehicle; and provided, further, that in case of dispute the determination of the department as to the character of such assembly, reconstruction or alteration shall be conclusive; "imported motor vehicle" shall mean any motor vehicle which shall be brought into this state from another country or state otherwise than in the ordinary course of business by or through a manufacturer or dealer and which has not been registered in this state.

Sec. 3. Every motor vehicle kept in this state and whose owner is a resident of this state, and every motor vehicle kept in this state, except temporarily by a non-resident owner and every motor vehicle kept and used in this state a majority of the time, and every motor vehicle used in this state and not properly licensed under the laws of another state shall not be operated by its own power upon any public highway without being licensed and without carrying license number plates and proper license certificate and without having had its license fee duly paid, all as required by law. Any such motor vehicle once licensed in the state and by removal not longer subject to license in this state, shall upon being returned to this state and subject to license be again originally licensed. Every motor vehicle originally licensed as provided by law shall, so long as it is subject to license, within the state, pay an annual license fee in advance.

Sec. 4. Every owner of motor vehicle which shall be operated or driven upon the public highways shall, except as herein otherwise expressly provided, have filed in the office of the county treasurer of the county in which he resides, a verified application for registration or re-registration on a blank to be furnished by the department for that purpose, containing such information as the department may require for the efficient administration of this act.

Sec. 5. Upon receipt of the application and license fee for a motor vehicle, as provided in this act, the county treasurer shall file such application in his office and register such motor vehicle with the name,



post-office address and business address of the owner, together with the facts stated in such application, in a book or index to be kept for the purpose, under the distinctive number assigned to such motor vehicle by the county treasurer, which book or index shall be open to public inspection during reasonable business hours, and he shall give to the owner a receipt for the fee paid, and shall forthwith assign to such motor vehicle a distinctive number, and, without expense to the applicant, shall issue and deliver, or forward by mail or express to the owner, a certificate of registration and container for same in such form as the department may prescribe, and duplicate number plates bearing a number corresponding to the number assigned to such motor vehicle. Upon receipt of the application and license fee for a trailer, as provided in this act, the county treasurer shall issue a receipt for the fee paid and shall at once forward the application to the department. The department shall register and assign to the trailer a distinctive number and shall forward to the owner a certificate of registration and a single number plate bearing the number corresponding to the number assigned to the trailer. In the event of the loss, mutilation or destruction of any number plate, the owner of the registered motor vehicle, or manufacturer, or dealer, as the case may be, may obtain from the department a duplicate thereof upon filing in the office of the department an affidavit showing such facts and the payment of a fee of fifty cents (\$.50) for each plate. Duplicate certificates of registration may be issued by the county treasurer in like cases, without the payment of any fee therefor.

Sec. 6. The executive council shall purchase all number plates, containers and other supplies required by this act after receiving competitive bids under open specifications. The bidders shall be required to furnish samples of such supplies and in awarding the contract the council may consider the quality and suitability of the samples submitted as well as the price quoted. A record of all bids submitted shall be kept and the samples submitted shall be preserved until the next subsequent letting. The successful bidder shall be required to execute to the state a good and sufficient bond in such amount as the executive council shall require, conditioned upon the plates furnished being in accordance with the samples and specifications, and providing for liquidated damages for failure to deliver plates at the time specified in the contract. In lieu of purchasing under competitive bids the council shall have authority to arrange with the board of control to furnish such supplies as may be made at the state institutions.

Sec. 7. On or before the first day of December of each year, the department shall deliver, or cause to be delivered to the county treasurer of each county, approximately as many duplicate number plates and certificate containers as there are motor vehicles registered in such county during the preceding year. The plates so delivered to each county treasurer to be in numerical sequence. Thereafter, during the year, the department, upon requisition of the county treasurer, shall deliver additional number plates and certificate containers. The department shall keep an accurate record of all number plates issued to each

county, and shall also keep a record showing the assignment thereof by the county treasurer to motor vehicles. Such number plates shall be of metal, at least six (6) inches wide and not less than fifteen (15) inches in length, on which there shall be the initials "Ia" and numerals indicating the year for which it is issued; and shall be of a distinctively different color each year, and there shall be at all times a marked contrast between the colors of the number plates and that of the numerals or letters thereon; said colors to be designated by the department. The distinctive number assigned to the vehicle shall be set forth in numerals four (4) inches long, each stroke of which shall be at least five-eighths ( $\frac{5}{8}$ ) of an inch in width. In the case of a motor vehicle registered by a manufacturer or dealer, there shall be on such plate, in addition to the foregoing, the letter "D" each stroke of such letter to be at least four (4) inches long and five-eighths ( $\frac{5}{8}$ ) of an inch in width. The number plates for use on a motor bicycle or a motorcycle shall be one-half ( $\frac{1}{2}$ ) the size above stated. All number plates issued shall be and remain the property of the state of Iowa.

Sec. 8. Registration shall be renewed annually as provided in Section ten (10), to take effect on the first day of January of each year; provided, that the county treasurer shall withhold the registration of any motor vehicle the owner of which shall have failed to register the same under the provisions of this act, for any previous period or periods for which it appears that registration should have been made, until the fee for such previous period or periods shall be paid. All certificates of registration issued under provisions of this act shall expire on the last day of the calendar year for which they were issued.

Sec. 9. When a motor vehicle is permanently dismantled or no longer used on the public highway, the owner thereof shall detach the license plates and surrender them to the county treasurer, who shall cancel the registration of record and report such cancellation forthwith to the department upon blanks provided for that purpose. Such license plates shall be destroyed by the county treasurer who shall so advise the department. A failure to comply with the provisions of this act shall constitute a misdemeanor and upon conviction shall be punishable by a fine of not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) or by imprisonment not exceeding ten days.

Sec. 10. An annual license fee shall be paid for each motor vehicle operated upon the public highways of this state unless said vehicle is specifically exempted under the provisions of this act. Said license fee shall be paid to the county treasurer at the same time the application is made for the registration or re-registration of said motor vehicle and the county treasurer shall not issue a registration certificate for any motor vehicle until the proper license fee has been paid.

The amount of said license fee shall be and is fixed at the following rates:

1. For all motor vehicles except motor trucks, motor cycles and motor bicycles, a fee equal to one per cent of the value as fixed by the

executive council, plus forty cents for each one hundred pounds or fraction thereof of weight of vehicle, as fixed by the executive council, provided that no motor vehicle regardless of age shall be licensed for less than ten dollars (\$10.00).

The executive council shall annually classify all such motor vehicles by value and by weight. The value shall be fixed at the next even one hundred (100) dollars above the retail list price when new F. O. B. the factory, and the weight shall be fixed at the next even one hundred (100) pounds above the manufacturers' shipping weight or the actual weight of the vehicle fully equipped.

2. After said motor vehicle has been registered five times, that part of the license fee which is based on the value of said vehicle shall be one half the rate as fixed when new, except as provided in paragraph one (1) above, and the sworn statement of the registrant as to the number of times such motor vehicle has been registered shall be conclusive evidence of that fact.

3. For all motor cycles the annual license fee shall be five dollars (\$5.00). When said motor cycle has been registered five (5) times, the annual license fee shall be one half the rate when new.

4. For all motor trucks, the fee shall be fixed in accordance with the following schedule:

a. Motor trucks equipped with all pneumatic tires:

For 1 ton or less capacity	\$15.00 per annum
" 1½ tons capacity	22.50 " "
" 2 " "	30.00 " "
" 2½ " "	45.00 " "
" 3 " "	65.00 " "
" 3½ " "	90.00 " "
" 4 " "	105.00 " "
" 4½ " "	120.00 " "
" 5 " "	135.00 " "
" 6 " "	165.00 " "

b. Motor trucks equipped with two or more solid rubber tires:

For 1 ton or less capacity	\$15.00 per annum
" 1½ tons capacity	22.50 " "
" 2 " "	30.00 " "
" 2½ " "	55.00 " "
" 3 " "	75.00 " "
" 3½ " "	100.00 " "
" 4 " "	125.00 " "
" 4½ " "	130.00 " "
" 5 " "	145.00 " "
" 6 " "	175.00 " "

Provided that for all trucks having a load capacity above two tons and operated exclusively within the limits of cities and towns, the annual license fee shall be two-thirds the rates fixed above.

The license fee for each ton of load capacity above six tons shall be fifty dollars in addition to the six ton rate, provided that no license shall be issued for any motor truck having a greater load capacity than six tons without a specific permit from the municipal authorities for operation entirely within the limits of municipalities and without a specific permit from the state highway department and board of supervisors for operation without the limits of municipalities. Said permit may define and limit the streets and highways over which said heavy trucks may be licensed to operate.

c. Motor trucks equipped with iron, steel or hard tires:

1 ton or less capacity.....	\$40.00
1½ ton capacity.....	50.00

No license issued for heavier load capacities.

5. For all trailers, the license fee shall be fixed in accordance with the following schedule:

Trailers equipped with all pneumatic tires:

1 ton or less capacity.....	\$10.00
2 ton capacity .....	15.00
3 " " .....	25.00
4 " " .....	40.00
5 " " .....	50.00
6 " " .....	60.00

Trailers equipped with two or more solid rubber tires:

1 ton or less capacity.....	10.00
2 ton capacity .....	15.00
3 " " .....	35.00
4 " " .....	50.00
5 " " .....	60.00
6 " " .....	70.00

Trailers equipped with iron, steel or hard tires:

½ ton capacity .....	\$ 3.00
1 " " .....	15.00
2 " " .....	30.00

All motor trucks, trailers, and motor vehicles used for other than the conveyance of passengers shall have attached thereto a conspicuous metal plate giving the actual weight of the vehicle equipped and weight of loading capacity as specified by the manufacturer or maker and no license shall be issued until the vehicle is so equipped. Any person violating

any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction, shall be subject to a fine of not less than five dollars (\$5.00) nor more than (\$50.00) fifty dollars for the first and second offenses. Upon a third conviction, the department shall have authority to cancel the certificate of registration and call in the number plates and a new license shall not be issued for any such motor vehicle for a period of one year.

Sec. 11. It shall be unlawful for any person known as a chauffeur, and employed for hire therefor, to operate or drive a motor vehicle upon the public highways, or streets, of cities or towns of this state, unless licensed by the department as herein provided.

Any person desiring a chauffeur's license shall file with the department an application under oath stating his name, residence, business address, if any, age, color, single or married, whether he has ever been convicted of a violation of the motor vehicle laws of this state or any other state, or has been convicted within one year of intoxication, and such other information as the department may require. Such license shall not be issued until the department is satisfied that the applicant is over eighteen (18) years of age and is a fit and proper person to receive such license. The fee for chauffeur's license shall be two dollars (\$2.00) payable annually and shall expire on the last day of the year for which it is issued.

To each person shall be assigned a distinguishing number and the department shall issue to the licensee a certificate containing the distinguishing number assigned to the licensee, his name, age, place of residence, business address, if any, and a brief description of the license for purpose of identification, and such other information as the department shall deem necessary. Each person licensed as a chauffeur, shall endorse his usual signature on the license certificate and his license shall not be valid until the certificate is so endorsed.

The department shall also furnish, without extra charge therefor to each chauffeur licensed a suitable metal badge with the number assigned to him stamped thereon, such badge to have stamped thereon the words "Registered Chauffeur No....., Iowa," and year of issue.

This badge shall thereafter be worn by such chauffeur, affixed to his clothing in a conspicuous place, at all times when he is operating a motor vehicle upon the public highway and the license certificate shall be carried at all times when he is operating a motor vehicle upon the public highway and shall be produced for inspection upon request by any peace officer. In case of the loss of such badge or certificate a duplicate will be issued by the department on the filing of an affidavit showing the fact of loss, and on payment of a fee of one dollar (\$1.00) to the department in the case of a badge, and fifty cents (\$.50) in case of a certificate. Applications for the annual renewal of license by chauffeurs shall be accompanied by the fee required by this section. No chauffeur's license or badge shall be issued to any applicant under the age of

eighteen (18) years; provided, that it shall be unlawful for any person to cause or knowingly to permit his or her child, ward or employee to operate a motor vehicle upon the public highway as a chauffeur without first having obtained such license as hereinbefore specified; and the application to the department of a minor to operate a motor vehicle, as chauffeur, shall not be granted by the department unless the parent or parents having custody of such applicant or the guardian of such applicant shall have joined in said application by signing the same; and provided further, that any negligence of a minor, so licensed, in operating a motor vehicle upon the public highway, as chauffeur, shall be imputed to the person, persons or corporation, who shall employ said chauffeur; which person, persons, or corporation shall be jointly and severally liable with such minor for any damage caused by such negligence.

Upon the receipt of an application, the department shall register the applicant in a book or on index cards which shall be kept in the same manner as the books or index cards for the registration of motor vehicles.

No person shall use a fictitious name in applying for such chauffeur's license, nor shall any chauffeur voluntarily permit any other person to possess or use his license certificate or badge; nor shall any person, while operating a motor vehicle, use or possess any license certificate or badge belonging to another person.

No person shall display or cause or permit to be displayed, or have in his possession, any canceled, revoked, altered or fictitious registration number plates, registration certificate, chauffeur's license certificate or chauffeur's badge, as the same are respectively provided for in this act.

The official head of the department may, after due hearing, upon not less than five (5) days' notice to be sent by registered letter to the address given by the person seeking a chauffeur's license, which shall constitute a sufficient service of notice, suspend or revoke the chauffeur's license issued to any person under this act, for any cause which he may deem sufficient, or he may, when a chauffeur has been convicted a third time of a violation of any of the provisions of this act, revoke or suspend the license of the chauffeur so convicted and no new license shall be issued to such person for at least one (1) year after the date of revocation of such license nor thereafter except in the discretion of the said officer. Any certificate or license issued to any chauffeur to operate motor vehicles upon an application or statement which is untrue as to any material fact, shall be void from the date of issue.

Any chauffeur whose license shall be revoked by the department, or shall be found to be void, shall forthwith return his license certificate and badge to the department. If any chauffeur or other person shall without the consent of the owner take or cause to be taken any automobile or motor vehicle and operate or drive or cause the same to be operated or driven, he shall be imprisoned in the penitentiary not to exceed one year

or be imprisoned in the county jail not to exceed six months, or be fined not to exceed five hundred dollars (\$500.00).

Sec. 12. No person under fifteen (15) years of age shall operate or drive a motor vehicle by permission from the owner of the car unless such person be accompanied by a person of mature years and in all cases where damage is done by any car driven by any person under fifteen (15) years of age and in all cases where damage is done by the car, driven by consent of the owner, by reason of negligence of the driver, the owner of the car shall be liable for such damage.

Sec. 13. Every manufacturer of a motor vehicle sold or offered for sale within this state, either by the manufacturer, distributor, dealer or any other person, shall, on or before the first day of June, 1919, and annually thereafter, file in the office of the department a sworn statement showing the various models manufactured by him, and the retail list price and weight of each model as of June first of that year. No motor vehicle shall be registered in this state unless the manufacturer thereof has furnished to the department the sworn statement herein provided, giving the list price and weight of the model of the motor vehicle that is offered for registration, except that the county treasurer shall have authority to fix the value and weight of any rebuilt or foreign car or any car on which the list price and weight is not available, provided the department shall have authority to review the action of the county treasurer in such cases, establish the correct value and weight and revoke the findings of the county treasurer, if found incorrect.

Sec. 14. All motor vehicles owned and used in the transaction of official business by the representatives of foreign powers or by officers, boards or departments of the government of the United States, and by the state of Iowa, counties, municipalities and other sub-divisions of government, and such self-propelling vehicles as are used neither for the conveyance of persons for hire, pleasure or business nor for the transportation of freight, and small trailers, under one thousand (1000) pounds capacity, equipped with rubber tires, used with pleasure motor vehicles and used for carrying personal baggage or effects, are hereby exempted from the payment of the fees in this act prescribed, but shall not be exempt from the penalties herein provided. The department shall furnish, on application, free of charge, distinguishing plates for motor vehicles thus exempted and keep a separate record thereof.

Sec. 15. The department shall prepare, prior to the second day of July, 1919, and annually thereafter, a statement showing all the different makes and models of motor vehicles previously registered in his department, and all the different makes and models of motor vehicles, statements of which have been filed in his office as provided in section thirteen (13) hereof, together with the retail list price and weight of the same, and the executive council shall, on or before the 15th day of July of each year, and at such other times as they may deem necessary, fix the value and weight of each of the different makes and models of motor vehicles so reported to them by the department, or which are sold or offered for sale within the state.

The statement prepared by the department shall also include the load capacities of the various makes and models of motor trucks and trailers and the proper license fee to be paid for the registration of each.

Sec. 16. All registration or other fees herein or heretofore provided for in this act shall be and continue a lien against the motor vehicle for which said fees are payable until such time as they are paid as provided by law, with any accrued penalties. The lien of the original registration fee shall attach, at the time the same is first payable, as provided by law, and the lien of all renewals of registration shall attach on January 1st of each year thereafter. The collection of same may be enforced against any motor vehicle or it may be collected by suit against the owner who shall remain personally liable therefor until such time as the transfer thereof shall be reported to the county treasurer or until such time as said vehicle ceases to be in use and all fees and penalties to such date shall be paid. On January 1st of each year, a penalty of one dollar (\$1.00) shall be added to all fees not paid by that date, and one dollar (\$1.00) shall be added to such fees on the first of each month thereafter that the same remains unpaid, until paid.

On April first of the year 1921, and annually thereafter, the department shall forward to the county treasurer of each county, a list of all motor vehicles in said county on which the registration fee has not been paid, showing the amount of the delinquent fee, registration number, make and factory number, together with the name and address of the owner of each car as disclosed by the records. In the first week of May of each year the county treasurer shall cause to be published in each of the official newspapers in his county, a list of all motor vehicles owned within his county upon which the license fee has not been paid for that year. Such list shall show the factory number, make and model of the vehicle together with the name and post-office address of the owner thereof as shown by the records of his office and the amount of the license fee and penalty due upon the vehicle. Immediately after the publication of the list as herein provided, it shall be the duty of the county treasurer to collect the license and penalty.

The county treasurer shall collect from each delinquent, fifty cents (\$.50) on each vehicle on which the fee is delinquent to cover cost of publication. The cost of publication provided for in this section shall be paid as other bills for the maintenance of the department, but shall first be certified by the county treasurer of the county in which the publication was made, and approved by the department. He shall in all cases collect and remit to the department the correct license fee on each motor vehicle registered by him and shall be responsible on his bond for such amount. All fees and penalties collected by the county treasurer shall be remitted to the department on or before the fifteenth (15) day of each month following their collections in the same manner as provided by Section 1459 of the Code.

It shall be the duty of the county treasurer to deliver to the sheriff of the county, fifteen (15) days from the date of publication of the delinquent motor list, a certified list of the motor vehicles on which the fees



are delinquent, as shown by the record of his office, which list shall show name and address of owner, make of car, license number, factory and engine number, amount of fees and penalty due.

It shall be the duty of the sheriff of the county to forthwith proceed to the collection of the unpaid fees and penalties as certified to him by county treasurer by taking possession of the motor vehicle described in said certified list and proceed to advertise and sell same upon ten (10) days' notice for the purpose of collecting fees, penalties and costs. Said certified list shall for all purposes be a sufficient warrant therefor. The procedure of the sale of the motor vehicle for the collection of the license fees, penalties and costs shall be the same as that provided for the collection of the taxes on personal property by distress and sale as set forth in Section 1406 of the Code. Should a motor vehicle on which the fee is delinquent be removed from the county in which it was originally registered, either by transfer or removal by owner to another county, without having notified the county treasurer or department of such removal and the sheriff knowing to which county same was removed, may forward the warrant to the sheriff of the county where such motor vehicle is at that time, when he shall proceed to collect the same as though the vehicle had been originally registered in his county, and make return to the county treasurer of the county from which he received the warrant.

The sheriff shall be entitled to receive as costs, the sum of two dollars (\$2.00) for serving the writ or warrant of seizure and ten cents (.10) for each mile actually traveled by him in collecting the fee and penalties, and one dollar (\$1.00) per day for care of the motor vehicle while in his possession, which shall be collected from the owner of such delinquent motor vehicle, such costs and mileage, and costs of care while in his possession, shall be retained by him in full for his services.

When the fee and penalties have been collected the same shall forthwith be returned to the county treasurer, together with a report showing the name and address of the owner and description of car upon which such fee was collected. Thereupon the county treasurer shall issue to the owner number plates and a receipt showing payment of fees and penalties.

Sec. 17. It is hereby made the duty of the department to prepare and furnish the treasurer of each county all blank books, blank forms and all supplies required for the administration of this act, including applications for registration and transfer of vehicles, triplicate receipts, one of which shall be returned to the department on the day the license is issued, one delivered to the owner of the motor vehicle, and one retained by the treasurer of the county, and including duplicate remittance sheets to be used in remitting fees to the department, which shall contain the license number, name and address of owner, weight, price and load capacity of the vehicle, and the fee collected. All receipts for fees paid, certificates of registration, notices of transfer, and other blanks required for the administration of this act shall contain the license number, and manufacturers' number, factory number, name of owner, and such other matters as the department may deem necessary for the efficient administration of this act.

It shall be the duty of the department to install and maintain a numerical and a county card index, both of which shall contain the following information; viz., name and address of owner, license number, make, factory number, model, style, engine number, date of purchase, registration certificate number, number of cylinders, rated load carrying capacity, weight, list price or value of car fixed by the executive council, fees paid and date of payment.

The certificate of registration provided for herein shall contain on its face the name of the owner of the motor vehicle, his postoffice address, date of issue, fee paid, license number, make of car, style of car, model, engine number, factory number, and signature of owner. The reverse side of the certificate of registration shall contain notice of sale and transfer of the motor vehicle by the owner to the purchaser with a description of the car as set out in the certificate of registration which shall have blank spaces for the signature of both the owner and purchaser.

Sec. 18. Upon the transfer of ownership of any registered motor vehicle, the owner shall immediately give notice to the county treasurer, upon the form on the reverse side of the certificate of registration, stating the date of such transfer, the name and postoffice address, with street number if in a city, of the person to whom transferred, the license number, and such other information as the department may require. The purchaser of the motor vehicle shall join in the notice of transfer to the county treasurer and shall at the same time make application for the transfer of the motor vehicle and for a new certificate of registration. Upon filing the application for transfer, the applicant shall pay a fee of one dollar (\$1.00) for the transfer, thereupon the county treasurer, if satisfied of the genuineness and regularity of such transfer, shall register said motor vehicle in the name of the transferee and issue a new certificate of registration as provided in this act. Until said transferee has received said certificate of registration and has written his name upon the face thereof, delivery and title to said motor vehicle shall be deemed not to have been made and passed. The county treasurer shall forthwith notify the department of such transfer and upon receipt of such statement, the department shall file such statement in his office and note upon the registration book or index, such change of ownership.

The provisions provided for herein for the transfer of motor vehicles shall apply to the sale and transfer of all motor vehicles to manufacturers or dealers.

Sec. 19. The registration fees imposed by this act upon motor vehicles, other than those of manufacturers and dealers, shall be in lieu of all taxes, general or local, to which motor vehicles may be subject.

Sec. 20. It shall be unlawful for any person, firm, association, or corporation to buy any second hand or used automobile, or motor vehicle without requiring and receiving from the vendor thereof, a certificate of registration and transfer from the officer whose duty it is to register or license motor vehicles in the state in which said motor vehicle is

registered or licensed, showing the factory number, license number, description, and ownership of said motor vehicle or to sell or offer for sale any second hand or used motor vehicle without furnishing to the vendee of said motor vehicle, a certificate of registration and transfer from the officer whose duty it is to register or license motor vehicles in the state in which said motor vehicle is registered or licensed, showing the factory number, description, license number and ownership of said motor vehicle.

It shall be unlawful for any person, firm, association or corporation to deface, or alter any serial number, engine number or assembling number of a motor vehicle or registration number of certificate of registration or to have in his or its possession a motor vehicle, the serial number or engine number of which is defaced, altered or tampered with unless said person, firm, association or corporation has in his or its possession a certificate of registration and transfer from the officer whose duty it is to register or license motor vehicles in the state in which said motor vehicle is registered, showing good and sufficient reason why numbers are defaced, changed or tampered with; and also showing the original serial or engine number, and also showing the ownership of said motor vehicle.

Any person, firm, association or corporation found guilty, personally or by agent, of violating any of the provisions of this section shall be imprisoned in the penitentiary not more than five (5) years or be fined not more than one thousand dollars (\$1,000) or be imprisoned in the county jail not more than one (1) year.

Sec. 21. Upon the sale of a motor vehicle of manufacturers or dealers, the vendee shall at once make application by mail or otherwise, for registration thereof, after which he may operate the same upon the public highway without its individual number plate thereon for a period of not more than fifteen (15) days, provided, that during such period the motor vehicle shall have attached thereto, in accordance with the provisions hereof, both on the front and rear of such vehicle, pasteboard cards bearing the words, "License Applied For," and the registration number of the dealer from whom the car was purchased together with the date of purchase plainly stamped or stenciled thereon. The letters and figures upon such cards shall not be less than one (1) inch in height except that the letters in the words "License Applied For", shall not be less than two (2) inches in height, provided, that no manufacturer or dealer shall issue or permit the use of such card until an application for a license has been made, as herein provided, by the person to whom it is issued. The department shall, upon the application of any manufacturer or dealer, furnish such cards free of charge with the words "License Applied For" printed thereon and sufficient blank space to permit the printing, stamping or stenciling thereon of the dealers' number and the date. Provided further, that a motor vehicle that is being brought into this state from another state either for use or for sale herein, may be driven upon the public highway for a period of not to exceed ten (10) days provided it shall carry, both on the front and rear a pasteboard card

bearing the words "Car in Transit", and the date of purchase. The words, letters and figures upon said car shall be of the same size and general character as those required in this section for the cards showing that application has been made for a license. Nothing in this section, however, shall be construed so as to interfere with the use of motor vehicles upon the highways of this state that are owned by persons living in another state, regulation of which is provided for elsewhere in this act.

Sec. 22. Every motor vehicle required to be licensed shall have conspicuously displayed the number plates furnished, one on the front end and one on the rear end of such vehicle, each securely fastened, so as to prevent the same from swinging and each so placed that the same shall not become habitually obscured by dust and mud. The number plates of a junked or dismembered vehicle shall not thereafter be used, and no number plate shall be detached from the vehicle for which it is issued and to which it belongs for the purpose of using the same upon any other vehicle, and any such plates shall not be used upon any vehicle, other than that for which it was issued. The certificate of registration issued by the county treasurer shall also be displayed in a proper holder that will protect the same, of a kind approved by the executive council and placed in plain view in such place on or in the vehicle where the same can be easily seen by any peace officer or other person desiring to ascertain when the license fee was paid, and whether the car bears the proper certificate of registration. The department may prescribe the exact location of such certificate container. The executive council may at its discretion approve devices for holding and displaying the certificate of registration, and may require such devices to receive and hold such certificate so that when the certificate is removed from the holder the certificate will be destroyed or mutilated so it cannot be used on other vehicles. It shall be unlawful to change the license numbers assigned by the county treasurer to any motor vehicle, unless for some cause a new number may be assigned according to law or to change the colors or make any counterfeit of certificate of registration, or to use or display on any motor vehicle any other than the certificate of registration licensing such vehicle or to intentionally use or display any such certificate on which the names, numbers, or data stated are not true, or do not correspond to the vehicle licensed, such certificate of registration shall be of a distinctively different color each year and shall have data thereon that shall identify only the car on which same is carried.

Any violation of this Section shall constitute a misdemeanor, and upon conviction shall be punishable by a fine of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00), or by imprisonment not exceeding thirty (30) days.

Sec. 23. Every person, firm, association or corporation manufacturing or dealing in motor vehicles, may instead of registering each motor vehicle, make an application for a general distinctive number for all the motor vehicles owned or controlled by such manufacturer or dealer. On the payment of a registration fee of twenty-five dollars (\$25.00), such application shall be registered in the office of the department. The depart-

ment shall thereupon assign and issue to such manufacturer or dealer a general distinctive number, and without expense to the applicant, issue and promptly deliver to such manufacturer or dealer, a certificate of registration and two number plates with a number corresponding to the number of such certificate.

Such number plates shall be displayed by each motor vehicle of such manufacturer or dealer when the same is operated or driven on the public highways. Such manufacturer or dealer may obtain as many duplicates of such number plates as may be desired upon the payment to the department of fifteen dollars (\$15.00) for each duplicate set, provided that if a manufacturer or dealer has an established place of business in more than one city or town, such manufacturer or dealer shall secure a separate and distinct certificate of registration and number plates for each such place of business. Nothing in this Section shall be construed to apply to a motor vehicle operated by a manufacturer or dealer for private use or for hire, which said motor vehicle shall be individually registered as provided in this act.

Sec. 24. The provisions of the foregoing sections relative to registration and display of registration numbers shall not apply to a motor vehicle owned by a nonresident of this state, other than a foreign corporation, manufacturer or dealer doing business in this state, provided that the owner shall have complied with the provisions of the law of the foreign country, state, territory or federal district of his residence relative to registration of motor vehicles and the display of registration numbers thereon and shall conspicuously display his registration numbers as required thereby. The provisions of this section shall be operative as to a motor vehicle owned by a nonresident of this state to the extent that under the laws of the foreign country, state, territory or federal district of his residence like exemptions and privileges are granted to motor vehicles duly registered under the laws, and owned by the residents of this state.

Sec. 25. (a) Every motor vehicle, while in use on the public highways of this state, shall be provided with adequate brakes. (b) Every motor vehicle shall be equipped with a suitable bell, horn, or other signalling device producing an abrupt sound sufficiently loud to serve as an adequate warning of danger, but no persons operating any motor vehicle shall make or cause to be made any unnecessary noise with such bell, horn or signalling device, or use the same except as a warning of danger. Loud signalling devices shall not be used during the period of from one hour after sunset to one hour before sunrise, unless absolutely necessary to avoid accidents. An adequate signalling device shall in all cases be sounded on approaching curves, tops of hills, and the intersecting highways in the country where the operator's view is obscured. (c) All motor vehicles in use on the public highways excepting motorcycles, motor bicycles, and such motor vehicles as are properly equipped with one light in the forward center of such motor vehicle, shall, during the period of from one-half hour after sunset to one-half hour before sunrise, display two or more white or tinted lights, other

than red, on the forward part of said vehicle, so placed as to be seen from the front, and of sufficient illuminating power to be visible at a distance of five hundred (500) feet in the direction in which displayed, and to reveal any persons, vehicle or substantial object seventy-five (75) feet ahead of the lamps. Such motor vehicle when in use shall also display on the rear a lamp so constructed and placed as to show a red light from the rear and throw a white light directed upon the rear registration marker and render the numerals thereon visible for at least fifty (50) feet in the direction from which the vehicle is proceeding. Motorcycles, motor bicycles and motor vehicles equipped with one light as herein provided, shall display on the forward part one white or tinted light, as aforesaid, and a red light to the rear, so constructed and placed as to throw a white light directly upon the registration marker as prescribed in the case of any other motor vehicle, provided that the operator of any motor vehicle may proceed in a cautious and careful manner, in the event of a failure of one or more of his lights to operate, toward his destination, but he shall take the first reasonable opportunity to put his lights in order, otherwise to be deemed guilty of violation of this provision. The provision as to the rear light shall also apply to vehicles which are trailed or towed by motor vehicles. It shall be unlawful to use on a vehicle of any kind operated on the public highways of this state, including motorcycles, any lighting device of over four (4) candle power, equipped with a reflector, unless the same shall be so designed, or arranged that the directly reflected and undiffused beam of such light when measured seventy-five (75) feet or more ahead of the light shall not rise above forty-two (42) inches from the level surface on which the vehicle stands under all conditions of load. If, in addition to headlights, any such vehicle is equipped with any auxiliary light, projecting lights, or devices other than the rear lamp, such auxiliary light or lights shall be subject to all the restrictions of this section, regarding direction of the beam. If a spotlight is used on a motor vehicle it shall be unlawful for any person to direct its rays toward the eyes of the driver or occupants of an approaching vehicle, or to the left of the center of the traveled way when meeting another vehicle. No person shall operate a motor vehicle on any highway of this state equipped with an electric bulb or other lighting device of a greater capacity than thirty-two (32) candle power, no matter how the same may be shaded, covered or obscured. Any person who shall turn all or any of his motor vehicle's lights off for the purpose of avoiding arrest or identification, shall be deemed guilty of a misdemeanor and, upon conviction, subject to a fine of one hundred dollars (\$100.00) or imprisonment for a period of not to exceed thirty (30) days, or both fine and imprisonment. (d) It shall be unlawful for any operator of any motor car, taxicab, automobile, motor truck or motorcycle, while on the public highway, to use any cut-out fitting or other apparatus or device which will allow the exhaust gases from the engine of the motor vehicle to escape into the atmosphere without first passing through a silencer, expansion chamber or other contrivance suitable and sufficient for reducing as far as may be reasonably practicable, the noise which would

otherwise be caused by the escape of said gases, provided further, that it shall be unlawful for any person to drive or to permit to be driven on the streets of any city or town, any motor vehicle at any time with the muffler cut out or not in operation. Any violation of this section shall constitute a misdemeanor, and upon conviction, shall be punished by a fine of not less than five dollars (\$5.00) nor more than twenty-five dollars (\$25.00) for the first and second offense, provided further that for the third conviction the department shall revoke the license and certificate of registration of the person so convicted and no new license or certificate shall be granted to the person for a period of one (1) year.

It shall be the duty of the mayor of cities and towns, the police, sheriff, and all peace officers to enforce provisions of this act.

Sec. 26. Upon approaching any person walking in the traveled portion of any public highway or a horse or any animal being led, ridden or driven thereon, or a crossing or intersection of public highways, or a bridge, or a sharp turn, or a curve, or a steep descent, and also in passing such person or such horse or other animal, and in traversing such crossing, bridge, turn, curve or descent, the person operating a motor vehicle or motorcycle shall have the same under control and shall reduce the speed to a reasonable and proper rate.

Except where safety zones are provided, and the highway is of sufficient width to admit of safe passage, the driver or operator of every vehicle shall bring the same to a full stop not less than five (5) feet from the rear of any street car headed in the same direction which has stopped for the purpose of taking on and discharging passengers, and remain standing until such car has taken on or discharged its passengers. Any person violating any requirement of this section shall be deemed guilty of a misdemeanor and subject upon conviction, to a fine of not less than five dollars (\$5.00) nor more than one hundred dollars (\$100.00) for the first offense, and double said penalties for any subsequent offense. The provision of this section shall apply to the operator who causes his motor vehicle to be operated in violation of this section,

(a) The operator of a motor vehicle 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 center of the street.

(b) The operator of a motor vehicle, when overtaking and passing another vehicle, shall pass to the left when the surface of the ground will permit and shall not drive to the right until clear of such vehicle.

(c) 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 and extending the hand and indicating with it the direction in which he wishes to turn.

(d) The operator of a motor vehicle, in turning to the right from one street or highway into another, shall turn the corner as near the right hand as practicable, 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.

(e) The operator of a motor vehicle, in crossing from one side of the 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.

(f) In cities and towns it shall be unlawful to stop a motor vehicle on the street unless the right side thereof is next to and parallel with the curb and as near thereto as the condition of the street will permit; provided, however, that cities and towns shall have the power to designate by ordinance suitable areas within which automobiles may be parked or left standing (without being parallel to the curb), and to prescribe rules governing the use of such areas for such purpose; 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.

(g) 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 districts.

(h) 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.

(i) Where two vehicles are approaching on any public street or highway so that their paths will intersect and there is danger of collision, the vehicle approaching the other from the right shall have the right of way.

(j) 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 fifteen (15) feet of the corner or within fifteen (15) feet of any hydrant.

(k) In cities and towns no motor vehicle shall be left standing in front of or within fifteen (15) feet of either side of the entrance of any theatre, auditorium or 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 is necessary for such purpose.

(l) At theatres and public gatherings in cities and towns, or under unusual circumstances, motor vehicles shall stand or move as directed by the police.

(m) 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 with the engine running.



(n) The driver of any vehicle driven or propelled upon the public highways shall, when overtaken by a faster moving vehicle proceeding in the same direction, upon a signal, either by the sounding of a bell, horn or other signalling device, given by the driver of the overtaking vehicle, cause his vehicle to be driven to the right of the center of the traveled way if he can do so with safety and remain to the right of the center of such traveled way until the overtaking vehicle shall have safely passed. Any driver of a vehicle that is overtaken by a faster moving vehicle who fails to heed the signal of the overtaking vehicle when it is given under such circumstances that he could, by the exercise of ordinary care and observation and precaution, hear such signal and who fails to yield that part of the traveled way as herein provided, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not to exceed twenty-five dollars (\$25.00) or by imprisonment not exceeding ten (10) days and if upon the trial of the case the person charged with the violation of this provision shall claim that he did not hear the signal of the overtaking vehicle, the burden of proof shall rest upon him to show that he did not hear such signal provided that it shall first be proven that the overtaking vehicle gave a signal by the use of a bell, horn or other signalling device.

(o) It shall be unlawful for the operator of any motor vehicle to leave it standing, while showing a red light, parallel to, and within twenty-five (25) feet of the tracks of any railroad in cities and towns.

Sec. 27. Every person operating a motor vehicle on the public highway of this state shall drive the same in a careful and prudent manner, and at a rate of speed that will not endanger the property of another, or the life or limb of any person, and shall in no event drive the same at a greater rate than as follows:

(a) Thirty (30) miles per hour if the weight of vehicle and load is less than three (3) tons and the vehicle is equipped with pneumatic tires, and twenty-five (25) miles per hour if such vehicle is equipped with solid rubber tires.

(b) Twenty-five (25) miles per hour if the weight of the vehicle and load is more than three (3) tons and less than six (6) tons and the vehicle is equipped with pneumatic tires, and twenty (20) miles per hour if such vehicle is equipped with solid rubber tires.

(c) Sixteen (16) miles per hour if the weight of the vehicle and load is more than six (6) tons and the vehicle is equipped with pneumatic tires, and twelve (12) miles per hour if such vehicle is equipped with solid tires.

(d) Ten (10) miles per hour if the vehicle or any trailer is equipped with two (2) or more metal tires.

Provided, that the local authorities of any city or town may establish a suburban district in which the maximum speed of any vehicle shall not exceed twenty (20) miles per hour, and a business district in which the

maximum speed of any vehicle shall not exceed fifteen (15) miles per hour, provided that such city or town shall have placed conspicuously on every main highway where the rate of speed changed, signs of sufficient size to be easily readable by a person using the highway, bearing the words: "City of.....," "Town of.....". "Slow down to..... miles" (the rate being inserted), and also an arrow pointing in the direction where the speed is to be reduced or changed, and also on further condition that such ordinance, rule or regulation shall fix the punishment for violation thereof, not to exceed twenty-five dollars, or (5) five days in jail, which punishment shall, during the existence of such ordinance, rule or regulation, supersede those otherwise specified in this act.

The total maximum load on any one wheel of any motor vehicle including the weight of the vehicle and the load it carries, shall be four tons, provided the total maximum weight of the vehicle and load shall not in any event exceed fourteen tons. The total load on any wheel of any vehicle shall be limited to eight hundred pounds per inch width of tire in actual contact with the road surface, measured at the narrowest point of of the tire, on all highways improved with a rigid surface such as concrete, brick or bituminous pavements on a concrete base; and, four hundred pounds per inch width of tire in actual contact with the surface, measured at the narrowest point of the tire, on all highways having earth, gravel or similar surfaces.

The maximum width of any motor vehicle and its load shall be limited to eight feet, excepting loads of loose hay, straw and similar farm products.

No motor vehicle shall operate over any highway, improved with a gravel or paved surface, which has projections of metal or wood beyond the tread of traffic surface of the tire excepting vehicle equipped with caterpillar tread; provided that tractors, traction engines or similar motor vehicles may be operated which have "V" shaped or diagonal cleats arranged in such a manner that two or more cleats are continuously in contact with the road surface and that the weight per inch width of such cleats in continuous contact with the road surface measured in the direction of the movement of the vehicle does not exceed eight hundred pounds per inch width of tire.

Sec. 28. Limitations as to the rate of speed herein fixed shall be exclusive of all other limitations fixed by law of this state or any political sub-division thereof. Local authorities shall have no power to enact, enforce or maintain any ordinance, rule or regulation in any way in conflict with, contrary to or inconsistent with the provisions of this act, or of any section or other subdivision thereof, and no such ordinance, rule or regulation of said local authorities heretofore, or hereafter enacted shall have any force or effect, excepting, however, that (1) such powers as are now or may hereafter be vested in local authorities to enact ordinances and regulations, applicable equally and generally to all vehicles and other users of the highways, and providing for traffic or crossing officers or semaphores, to bring about the orderly passage of vehicles and other users of

the public highways on certain portions thereof, where the traffic is heavy and continuous, as well as (2) the powers now or hereafter vested in local authorities to license and to regulate the operation of vehicles offered to the public for hire, and to regulate the use of the highways for processions or assemblages, shall remain in full force and effect, and all ordinances, rules and regulations which may have been or which may be hereafter enacted in pursuance of such powers, shall remain in full force and effect; and provided, further, that local authorities may by general rule, ordinance or regulation, exclude vehicles from any cemetery or ground used for the burial of the dead, or exclude vehicles used solely or principally for commercial purposes, from any park or part of a park system where such general rule, ordinance, or regulation is applicable equally and generally to all other vehicles used for the same purpose; provided, that at the entrance, or at each entrance if there be more than one, to such cemetery or park from which vehicles are so excluded, there shall have been posted a sign plainly legible from the middle of the public highway on which such cemetery or park opens, plainly indicating such exclusion and prohibition; and provided, further, that the local authorities of any city, town, or city and county may impose additional restrictions to those herein contained applicable to vehicles exclusively used in the carrying of merchandise or articles of freight and of a capacity in excess of one ton in weight and may designate certain streets whereon heavy laden vehicles may be excluded or declared to be "one way" streets, may further, restrict, or prohibit, the use of trallers. Provided, further, that where local authorities of other states shall, by adoption of rules and regulations or otherwise, prohibit motor vehicles from operating upon highways in any subdivision of such other state which motor vehicles are duly licensed under the laws of this state, then in such cases the local authorities of this state may, by ordinance or otherwise, require the motor vehicles of the subdivisions of such other state while operating by their own power in this state to be licensed under the laws of this state.

Sec. 29. The violation of any of the provisions herein shall constitute a misdemeanor punishable by a fine of not to exceed one hundred dollars, except as otherwise provided in this act.

Sec. 30. Whoever operates a motor vehicle while in an intoxicated condition shall be guilty of a misdemeanor, and shall be punished as provided by section 4906 of the Code. Any person operating a motor vehicle, who, knowing that injury has been caused to a person, due to the culpability of said operator, or to accident, leaves the place of said injury or accident without stopping and giving his name, post-office address, including street number and registration number of said motor vehicle, to the injured party, and give such aid to the injured person as the circumstances may require, shall be guilty of a felony punishable by fine of not more than five hundred dollars (\$500.00) or by imprisonment for a term not exceeding two (2) years, or by both such fine and imprisonment; and if any person be convicted the second time of either of the foregoing offenses, he shall be guilty of a felony punishable by imprisonment for a term of not less than one (1) year and not more than five (5) years, or by a fine not exceeding one thousand dol-

lars (\$1,000.00). A conviction of a violation of this section shall be reported forthwith by the trial court or the clerk thereof, to the department, who shall, upon recommendation of the trial court, suspend the certificate of registration of the motor vehicle operated by the person violating this section, or if he be an owner, the certificate of registration of his motor vehicle; and if no appeal therefrom is taken, or if an appeal duly taken be dismissed or the judgment affirmed, and upon notice thereof by said clerk, the department shall revoke the certificate of registration of said motor vehicle, and shall order the certificate of registration delivered to the department, and shall not re-issue said certificate of registration or any other certificate of registration to such person unless the department, in its discretion, after an investigation, or upon rehearing, decides to re-issue or issue a certificate.

Sec. 31. Any person who operates any motor vehicle while a certificate of registration of a motor vehicle issued to him is suspended or revoked, shall be guilty of a misdemeanor.

Sec. 32. Any person making a false statement in the verified application for registration shall be guilty of a misdemeanor.

Sec. 33. Upon conviction of any person for the violation of any of the provisions of this act, the trial court or clerk thereof shall immediately certify the facts of the case, including the name and address of the offender, the judgment of the court and the sentence imposed, to the department, who shall enter the same in a book or index kept for that purpose, and in case of any other person in a book or index of offenders, to be kept for such purpose. If any conviction shall be reversed upon appeal therefrom, the person whose conviction has been reversed may serve on the department a certified copy of the order of reversal, whereupon, the department shall enter the same in the proper book or index in connection with the record of such conviction.

Sec. 34. A conviction of the violation of any of the provisions of this act shall not be a bar to a prosecution for an assault or for a homicide committed by any person in operating motor vehicles.

Sec. 35. Ninety-four (94) per cent of all moneys paid into the state treasury pursuant to the provisions of this act, except as otherwise provided by law, and section 39 hereof, shall be apportioned among the several counties in the same ratio that the area of each county bears to the total area of the state, said apportionment to be made by the treasurer of state. Two and one-half ( $2\frac{1}{2}$ ) per cent of all moneys paid into the state treasury on and after the taking effect of this act pursuant to its provisions, shall be set aside and shall constitute a maintenance fund for the state highway commission, and three and one-half ( $3\frac{1}{2}$ ) per cent of all of said money paid to the treasurer of state shall constitute a fund for the payment of salaries as provided by law for the motor vehicle department, the expenses for plates, certificate containers, blanks, etc., and maintenance of the automobile department. The maintenance fund for said state highway commission, shall be drawn out only on warrants drawn by the auditor of state on itemized vouchers approved by the state highway

commission, the expenditures of which commission shall be audited by the state board of audit, and a full and complete report of all said expenditures shall be published in the annual report under the act creating the state highway commission.

Biennially, at the close of the calendar year, any unexpended balances remaining in the funds provided for the maintenance of the state highway department and the motor vehicle department which have accrued from the motor license fees paid in for that period, shall be apportioned among the several counties in the same manner as the ninety-four per cent of said funds is apportioned.

Sec. 36. It is hereby made the duty of each and every person, firm, association, corporation, co-partnership operating a public garage in this state to keep for public inspection a record of the license number and engine or factory serial number of all motor vehicles taken in or held in charge by said garage for the purpose of selling, rental, livery, storage or repair. Said record shall contain the name and address of the owner of the motor vehicle, the name and address of the person delivering or taking the motor vehicle to the garage, and the license number and the engine number thereof. The alteration or obliteration of said engine number shall be prima facie evidence of larceny of said motor vehicle, and the proprietor, agents, servants or employes, immediately upon the discovery of such obliteration or alteration, shall notify the sheriff and police officers of the proper county, and shall hold the said motor vehicle for a period of twenty-four (24) hours or until investigation shall have been made by the sheriff or police officers. Provided, however, such record need not be made when a motor vehicle is taken in or held in charge a second time, when the owner or driver is personally known to the proprietor of such garage, his agent or employe.

Any person, firm, association, corporation or co-partnership found guilty, personally or by agent, of violating any of the provisions of this section shall be fined in a sum not to exceed one hundred dollars (\$100.00).

Sec. 37. The department shall issue this act in pamphlet form, together with such rules, instruction and explanatory matter as may seem advisable, copies of such pamphlet shall be given as wide distribution as the department shall determine and a supply shall be furnished each county **treasurer**.

The department shall have full authority to make such rules and issue such instructions as may be necessary to insure and obtain uniformity in the administration and full enforcement of the provisions of this act. All local officials charged with the administration and enforcement of this act shall act and be governed in their official acts herein required by the rules promulgated by the department.

The department is authorized and directed to employ such assistants and clerks as may be required by the department in the administration

of this act, provided, the salaries and number of any such assistants and clerks shall be authorized by the executive council.

Sec. 38. All acts or parts of acts inconsistent with this act or contrary thereto are hereby repealed.

Sec. 39. The department may use in addition to the portion of the motor vehicle fund set apart as a maintenance fund, such further part of the motor vehicle fund as may be necessary to carry out the provisions of this act. The provisions of this section shall go into effect July 4, 1919.

Sec. 40. This act shall take effect December first, nineteen hundred nineteen, except that application for registration may be had and number plates and licenses issued at any time within thirty (30) days prior to said date, to be effective thereafter. Provided further, that those parts of this act relating to the filing of price lists and weights of motor vehicles and capacity of trucks and trailers by the manufacturers of motor vehicles, fixing a valuation upon the different kinds, makes and models of motor vehicles by the executive council as a basis for fixing a license fee, the preparation of blanks, books, indexes, the letting of contracts for number plates, containers, chauffeur's badges, providing for necessary clerks, the transferring of the department to the Secretary of State, and all preparations for putting into effect this act not inconsistent with the existing law shall become effective July 1, 1919.

### THIRD READING OF BILLS.

On motion of Senator Haskell, House File No. 494, a bill for an act to amend chapter thirteen-b (13-b), Title V, supplement to the code, 1913, relating to pensions for disabled and retired policemen, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 28.

Balkema	Kimberly	Rule
Broxam	Kingland	Schaffter
Cessna	Meredith	Stephenson
Coburn	Nelson	Stoddard
Edwards	Parker	Taylor
Fralley	Price	Van Alstine
Greenell	Proudfoot	White
Hale	Rainbow	Whitmore
Haskell	Ratcliff	Wilson
Horchem		

Nays, none.

Absent or not voting, 22.

Adams	Fellows	Newberry
Anderson	Foskett	Pitt
Arney	Foster	Reed
Ball	Holdoegel	Scott
Brookhart	Kimball	Shane
Buser	LeCompte	Smith
Byington	Mitchell	Thompson
Evans		

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

Senator Haskell moved that the vote by which House File No. 494 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### THIRD READING OF BILLS.

On motion of Senator Van Alstine, House File No. 484, a bill for an act to amend Section two thousand seven hundred and eighty-three (2783) supplement to the Code, 1913, as amended by section seven (7) of chapter three hundred eighty-six (386) acts of the thirty-seventh General Assembly relating to the use of the general fund for the purchase of school supplies, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Alstine moved that the rules be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 26.

Broxam	Kingland	Shane
Foster	Nelson	Stephenson
Frailey	Parker	Stoddard
Greenell	Price	Taylor
Haskell	Proudfoot	Van Alstine
Holdoegel	Rainbow	White
Horchem	Ratcliff	Whitmore
Kimball	Rule	Wilson
Kimberly	Schaffter	

Nays, 4.

Coburn  
Edwards

Hale

Meredith

Absent or not voting, 20.

Adams  
Anderson  
Arney  
Balkema  
Ball  
Brookhart  
Buser

Byington  
Cessna  
Evans  
Fellows  
Foskett  
LeCompte  
Mitchell

Newberry  
Pitt  
Reed  
Scott  
Smith  
Thompson

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

Senator Van Alstine moved that the vote by which House File No. 484 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### CONCURRENT RESOLUTION.

Senator Kimball offered the following resolution:

*Be It Resolved by the Senate of the Thirty-eighth General Assembly, the House concurring:*

*That whereas, the Federal Government has seen fit to pay large and remunerative salaries to various employees of the railroads which were exempted from service in the late war, while men that left their employment and entered the service of their country, making a sacrifice of their time and offering their lives in the interest of humanity received only soldiers' pay, limited to thirty dollars (\$30) per month to privates, and*

*Whereas, the government has recently increased the pay of some of its employees and Congress has adjourned by operation of law, and no special session of Congress has been called by the President, and no provision was made for payment of soldiers, sailors, and marines leaving the service, except the paltry bonus of sixty dollars (\$60.00) to each man, which sum is grossly inadequate to meet the needs of men who have sacrificed much and who are not all fortunate in returning to their positions, and*

*Whereas, it is within the duty of the Federal Government and not the state government to provide a just and adequate pay and reward to those who were in the service, now therefore,*

*Be It Resolved, that this General Assembly does hereby memorialize the government of the United States and Congress to provide at its first session for the payment of all soldiers, sailors and marines who have served*



six months in the service of the United States just prior to their discharge, full pay for six months from and after their discharge, or such suitable pay and reward as may more fairly compensate such men of the service, and

*Be It Further Resolved*, that the Governor shall transmit to the Federal Government and to each house of Congress, and to such members of each house as he may deem wise properly engrossed copy of this memorial.

Laid over under the rules.

#### HOUSE MESSAGES CONSIDERED.

House File No. 107, a bill for an act to compensate one Roy Harrison for injuries received while working in the Reformatory at Anamosa under sentence of court, whereby he lost a part of his right hand, and making an appropriation to pay such compensation.

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

House File No. 561, a bill for an act to amend section twenty-five hundred fifty-one (2551), supplemental supplement to the Code, 1915, relating to the protection of certain game birds.

Read first and second time and referred to sifting committee.

#### REPORT OF COMMITTEE.

Senator Anderson, from the sub-committee on departmental affairs, submitted the following report:

MR. PRESIDENT—Your committee on departmental affairs, to whom was referred Senate File No. 449, a bill for an act to amend the law as it appears in section fifteen hundred twenty-seven-S1 (1527-S1), Supplement to the Code, 1913, relative to the compensation of members of the State Highway Commission, 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:

Amend by striking out all after the enacting clause and insert in lieu thereof the following:

Section 1. That the word "ten" in line four (4) of Section fifteen hundred twenty-seven-S1 (1527-S-1), Supplement to the Code, 1913, be stricken out and the word "twenty" inserted therein.

P. C. HOLDOEGEL, *Chairman*.

Ordered passed on file.

## INTRODUCTION OF BILLS.

By committee on departmental affairs, Senate File No. 540, a bill for an act to repeal Sections Twenty-four Hundred Eighty-nine-b (2489-b) and Section Twenty-four Hundred Eighty-nine-c (2489-c) Supplement to the Code, 1913, be repealed and providing a substitute therefor relating to the Board of Examiners of pit bosses and hoisting engineers in mines.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. That section 2489-b and section 2489-c Supplement to the Code, 1913, be and the same is hereby repealed.

Sec. 2. The Board of Examiners of applicants for examination as pit boss and hoisting engineers at mines shall be composed of the State Mine Inspectors and the dean of the division of engineering of the State College of Agriculture and Mechanic Arts.

Sec. 3. The board of examiners herein created shall meet, at the state mine inspectors office in the Capitol at Des Moines, on the first Monday in January, March, May, July, September and November in each year, and shall adopt such rules, conditions and regulations, and shall prescribe and conduct such examinations as shall be more efficient to give effect to the spirit and intent of this act.

The board as herein constituted shall receive their actual expenses in attending and conducting such examinations including railroad transportation in going from and returning to their place of residence, which shall be paid out of funds provided for the payment of the expense of the board of examiners as now constituted.

Sec. 4. That from and after the taking effect of this act the board as now constituted to examine pit bosses and hoisting engineers, is hereby abolished, only as to the examination of pit bosses and hoisting engineers.

Sec. 5. This act being deemed of immediate importance shall be in full force and effect from and after completed publication hereof in the Des Moines News and The Des Moines Capital newspapers of general circulation in Iowa.

Read first and second times and passed on file.

By committee on departmental affairs, Senate File No. 541, a bill for an act fixing the number and compensation of employees in the state departments at the seat of government, and the compensation of certain officers.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Until July 1, 1921, the number of employees and provision for compensation therefor, for the various offices and departments of the state at the seat of government, except where otherwise provided by law, shall not exceed the number herein named, and the compensation to each per annum and for such employment shall be the amounts as hereinafter fixed.

For the office of Adjutant General.

Adjutant General shall receive a salary of.....	\$3000.00
Assistant Adjutant General salary not to exceed.....	1800.00
Chief Clerk, salary not to exceed.....	2400.00
Property and Disbursing Officer, salary not to exceed....	1500.00
One Record Clerk, salary not to exceed.....	1200.00
One general clerk, one National Guard clerk, one file clerk and three stenographers, each at salaries of from .....	.960 to 1200.00

All of these salaries shall be paid from the regular appropriation for the support of the National Guards.

For the office of the Attorney General.

Attorney General shall receive a salary of.....	5000.00
One assistant attorney general, salary not to exceed.....	4000.00
One assistant attorney general, salary not to exceed.....	3500.00
Two assistant attorney generals, each at a salary not to exceed .....	3000.00
One assistant attorney general, salary not to exceed.....	2500.00
One secretary, salary not to exceed.....	1800.00
Two stenographers, each at a salary from.....	.960 to 1200.00

For the office of Auditor of State.

Auditor of State shall receive a salary of.....	3600.00
One deputy auditor, salary not to exceed.....	2400.00
One chief clerk of revenue department, salary not to exceed .....	2400.00

One chief clerk of county accounting department, salary not to exceed.....	2200.00
One chief clerk municipal accounting department, salary not to exceed .....	2000.00
One assistant county accountant, salary not to exceed....	2000.00
One general clerk, salary not to exceed.....	1500.00
One warrant clerk, salary not to exceed.....	1400.00
One assistant warrant clerk, salary from.....960 to	1200.00
One stenographer and clerk, salary from.....960 to	1200.00
One clerk and janitor, salary from.....1080 to	1200.00
Extra clerical assistant and contingent.....	800.00

The accountants in the municipal accounting department and the County accounting department shall receive a per diem of \$7.00 to be paid by the County or Municipality, together with actual expenses while making examinations.

For the office of Banking Department.

Superintendent shall receive a salary of.....	4000.00
One secretary at a salary not to exceed.....	2700.00
One accounting clerk, salary not to exceed.....	1200.00
One legal clerk, salary not to exceed.....	1300.00
One stenographer at a salary from.....960 to	1200.00
Thirteen examiners, each at salaries from.....2000.00 to	3000.00

For the office of Board of Control.

Three members shall receive a salary, each, of.....	4000.00
One secretary, salary not to exceed.....	3000.00
One architect, at a salary not to exceed.....	3000.00
One accountant at a salary not to exceed.....	2100.00
One assistant accountant, salary not to exceed.....	1600.00
One assistant accountant, salary not to exceed.....	1500.00
One purchasing agent, salary not to exceed.....	2000.00
One estimate clerk, salary not to exceed.....	1400.00
One statistician, salary not to exceed.....	1400.00
One parole clerk at a salary not to exceed.....	1200.00
One file clerk at a salary not to exceed.....	1200.00
Four stenographers, each at salaries from.....960 to	1200.00
One storekeeper and clerk, salary not to exceed.....	1200.00
One draftsman, salary not to exceed.....	1500.00

One lecturer on tuberculosis, salary not to exceed.....	2400.00
One stenographer, salary from.....960.00 to	1200.00
Seven state agents, each at salaries from.....1000 to	1320.00

For the office of Board of Parole.

Three members shall receive their expenses and a per diem of .....	10.00
One secretary at a salary not to exceed.....	2700.00
One parole agent at a salary not to exceed.....	2000.00
One parole agent at a salary not to exceed.....	1600.00
One file clerk at a salary not to exceed.....	1300.00
Two stenographers at salaries from.....960 to	1200.00

For the office of Clerk of Supreme Court.

Clerk of Supreme Court shall receive a salary of.....	3000.00
One deputy clerk, salary not to exceed.....	2000.00
One brief and file clerk, salary not to exceed.....	1300.00
One general clerk at a salary of from.....960 to	1200.00
One messenger at a salary not to exceed.....	1080.00

For the office of Custodian.

One assistant custodian and engineer, salary of.....	2200.00
One first assistant engineer, salary not to exceed.....	1500.00
One second assistant engineer at a salary not to exceed....	1400.00
One machinist and electrician at a salary not to exceed....	1500.00
One assistant machinist and electrician salary not to exceed .....	1400.00
One carpenter at a salary not to exceed.....	1500.00
Three night watches, each at a salary not to exceed.....	1080.00
One extra engineer at a salary not to exceed.....	1400.00
One boiler tender at a salary not to exceed.....	1200.00
One florist at a salary not to exceed.....	1400.00
Five firemen each at salaries not to exceed.....	1200.00
One painter at a salary not to exceed.....	1500.00
One yard man at a salary not to exceed.....	1080.00
One clerk and janitor in Department of Agriculture, at a salary not to exceed.....	1080.00
Twenty janitors each at a salary not to exceed.....	1080.00
One matron at a salary not to exceed.....	1080.00

Two elevator tenders, each at a salary not to exceed.....	840.00
For removal of snow and extra help .....	500.00
For allowance for washing towels.....	300.00

#### For Office of Document Editor.

Document editor shall receive a salary of.....	3000.00
One assistant document editor, salary not to exceed.....	2000.00
One clerk, salary not to exceed.....	1500.00
One janitor and assistant clerk, salary not to exceed.....	1080.00
One stenographer at a salary of from.....	960 to 1200.00

#### For Dairy and Food Department

One commissioner shall receive salary of.....	3000.00
One deputy commissioner at a salary not to exceed.....	2100.00
One chemist at a salary not to exceed.....	2700.00
One chief inspector of weights and measures, salary not to exceed .....	2100.00
One chief food inspector, salary not to exceed.....	2100.00
One chief clerk at a salary not to exceed.....	1800.00
One license clerk at a salary not to exceed.....	1400.00
Three stenographers each at salaries from.....	960 to 1200.00
Six creamery inspectors, one dairy inspector, three dairy and food inspectors, eight food inspectors and two weight and measure inspectors, each at a salary from 1600.00 to	2100.00
One janitor at a salary not to exceed.....	1080.00

In the salaries in this department which are on a sliding scale, the inspector shall receive the sum of \$1600.00 for their first year in the department and shall receive an annual increase of \$100.00 per year until the maximum salary is reached.

#### For the Office of Executive Council.

One secretary at a salary not to exceed.....	2700.00
One assistant secretary at a salary not to exceed.....	2100.00
One second assistant, salary not to exceed.....	1400.00
One supply room clerk at a salary not to exceed.....	1200.00
One postmaster, salary not to exceed.....	1200.00
One janitor, salary not to exceed.....	1080.00
One store room janitor, salary not to exceed.....	1080.00
Four clerks, each at salaries from.....	960 to 1200.00

One accountant, salary not to exceed.....	2400.00
One assistant accountant, salary not to exceed.....	1800.00
One second assistant accountant, salary not to exceed.....	1500.00
One third assistant accountant at a salary not to exceed.....	1200.00

For the Office of Geological Survey.

One clerk at a salary not to exceed.....	1400.00
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For the Office of Governor of State.

The Governor shall receive a salary of and.....	5000.00
As a member of Executive Council.....	1200.00
House rent .....	600.00
One secretary at a salary not to exceed.....	1800.00
One pardon clerk at a salary not to exceed.....	1400.00
One requisition clerk at a salary not to exceed.....	1300.00
One notarial clerk at a salary from.....960 to	1200.00
One messenger at a salary not to exceed.....	1080.00
Four special agents, each, salary not to exceed.....	2000.00
For publication of notices.....	400.00

For Historical Department.

One curator shall receive an annual salary of.....	3000.00
One assistant curator at a salary not to exceed.....	2100.00
One assistant curator at a salary not to exceed.....	2100.00
One assistant curator at a salary not to exceed.....	1400.00
Four assistant curators, each at salaries not to exceed.....	1300.00
Five clerks, each at a salary from.....960 to	1200.00
Five mechanic-caretakers and six guards, each at a salary not to exceed.....	1080.00

Office of Insurance Commissioner.

Insurance Commissioner shall receive a salary of.....	3000.00
One deputy commissioner, salary not to exceed.....	2100.00
One actuary, salary not to exceed.....	5000.00
One security clerk (whose bond shall be paid by the State), salary not to exceed.....	2100.00
One assistant clerk, salary not to exceed.....	1400.00
One fee clerk at a salary not to exceed.....	1400.00
One general clerk at a salary not to exceed.....	1400.00

One examiner at a salary not to exceed.....	2400.00
Two stenographers, each at a salary from.....960 to	1200.00
One clerk and janitor, salary not to exceed.....	1080.00
Nine examiners each at a per diem from.....7.00 to	10.00
and their necessary expenses.	

For office of Labor Commissioner.

Labor commissioner shall receive a salary of.....	3000.00
One deputy commissioner, salary not to exceed.....	1800.00
Three factory inspectors, each at a salary not to exceed.....	1500.00
One chief clerk, salary not to exceed.....	1500.00
One statistician, salary not to exceed.....	1500.00
One department clerk and one stenographer each at a salary from .....	960 to 1200.00

For office of Mine Inspector.

Three inspectors, each at a salary not to exceed.....	2100.00
One secretary at a salary not to exceed.....	2000.00

For office of Oil Inspector.

Chief Oil Inspector shall receive a salary of.....	1800.00
One deputy oil inspector, salary not to exceed.....	1200.00
One deputy oil inspector, salary not to exceed.....	1200.00
Twelve inspectors, each at a salary not to exceed.....	1200.00
One stenographer at a salary from.....960 to	1200.00
Five deputy oil inspectors, each at a salary not to exceed..	900.00
Two deputy oil inspectors, each at a salary not to exceed..	600.00

All inspectors shall receive their actual expenses incurred while attending their duties.

For Pharmacy Commission.

Three members shall receive their actual expenses and a salary of .....	1500.00
One secretary-treasurer, salary not to exceed.....	2000.00
For extra clerical assistance, not to exceed.....	400.00

For Secretary of State.

Secretary of State shall receive a salary of.....	3600.00
One deputy, salary not to exceed.....	2400.00



One chief clerk, salary not to exceed.....	1800.00
One clerk in the land office, salary not to exceed.....	1600.00
One superintendent of bond and investment department, salary not to exceed.....	2400.00
One clerk at a salary not to exceed.....	1500.00
Two clerks each at a salary from.....960 to	1200.00
One Code Clerk, salary not to exceed.....	1200.00
One Corporation Clerk, salary not to exceed.....	1200.00
Two stenographers, salary each from.....960 to	1200.00
One janitor, salary not to exceed.....	1080.00

The head of the department under which the Motor Vehicle Department is placed, with the consent of the Executive Council shall appoint such necessary help as may be necessary to carry out the provisions of the Motor vehicle law and all salaries of the Motor Vehicle Department shall be paid from that portion of motor vehicle fees which revert to the State of Iowa for the expense of the Motor Vehicle Department.

#### For State Board of Education.

Three members of the Finance Committee shall each receive a salary of.....	3500.00
One auditor, salary not to exceed.....	2000.00
One chief clerk at a salary not to exceed.....	1400.00
Three stenographers, each at a salary from.....960 to	1200.00
One inspector at a salary not to exceed.....	2800.00

The members of the Board of Education shall receive \$10.00 per day and their actual expenses.

#### Office of Superintendent of Public Instruction.

Superintendent of Public Instruction shall receive a salary of .....	4000.00
One deputy at a salary not to exceed.....	2700.00
One chief clerk, salary not to exceed.....	1800.00
Four insepectors, each at a salary not to exceed.....	2100.00
and their actual expenses.	

Three stenographers, each at a salary from.....960 to	1200.00
One janitor at a salary not to exceed.....	1080.00
For extra clerical assistance, not to exceed.....	800.00

## Board of Educational Examiners.

One secretary at a salary not to exceed.....	1600.00
All members of the Board, other than those drawing a salary from the state shall receive a per diem of..... and their necessary expenses..	10.00
Examiners shall receive an hourly wage, not to exceed....	.50

## Vocational Education.

Superintendent of vocational education shall receive as the eleven twentieths of his salary paid by the State of Iowa .....	1870.00
The assistant superintendent shall receive as the half of his salary paid by the State of Iowa.....	1250.00
Stenographer shall receive as half of his salary paid by the State of Iowa.....	450.00
The members of the Board of Vocational Education other than those receiving a salary from the state shall receive their expenses.	

## Office of Treasurer of State.

Treasurer of State shall receive a salary of.....	3600.00
One deputy treasurer shall receive a salary not to exceed..	2400.00
Cashier (whose bond shall be paid by the State) salary not to exceed.....	1800.00
One collateral clerk, salary not to exceed.....	1500.00
One bookkeeper, salary not to exceed.....	1500.00
One general clerk, salary from.....960 to	1200.00
Special clerk, salary from.....960 to	1200.00
One stenographer, salary from.....960 to	1200.00
One watchman, salary not to exceed.....	1080.00
For additional clerical assistant and contingent.....	600.00

## Supreme Court.

Seven judges of the Supreme Court shall each receive a salary of .....	6000.00
One bailiff, salary not to exceed.....	1320.00
Seven stenographers, each at salaries from.....1200 to	1500.00

The sum of \$1000.00 is hereby appropriated to the Supreme Court for Clerk hire.

## Office of State Veterinarian.

State veterinarian shall receive a salary of.....	3000.00
Secretary, salary not to exceed.....	1200.00
One clerk, salary of from.....	.960 to 1200.00
Assistant veterinarians shall receive their actual expenses and a per diem of from.....	5.00 to 7.00

## Office of Industrial Commissioner.

Industrial Commissioner shall receive a salary of.....	3600.00
One deputy, salary not to exceed.....	2400.00
One secretary, salary not to exceed.....	1800.00
One chief clerk, salary not to exceed.....	1400.00
One file clerk, one general clerk and three stenographers and clerks, each at a salary from.....	.960 to 1200.00
There shall also be allowed the department for medical counsel the sum of.....	900.00

## Fish and Game Department.

Warden shall receive a salary of.....	2400.00
One assistant warden, salary not to exceed.....	1500.00
Five assistant wardens, each at a salary not to exceed.....	1200.00
One game farm keeper, salary not to exceed.....	1800.00
One assistant, salary from.....	.960 to 1200.00
One assistant, salary not to exceed.....	1080.00
Special assistants shall receive a per diem of.....	2.50 to 4.00

All employees of the department shall receive their actual expenses, while away from their homes on duty.

All of the above salaries shall be paid from the Fish and Game Protection fund.

## State Board of Health.

Four members shall receive their actual expenses and a salary of .....	900.00
One secretary, salary not to exceed.....	3000.00
Assistant secretary, salary not to exceed.....	1500.00
One sanitary engineer, salary not to exceed.....	2500.00
One anti-toxin clerk, salary from.....	.960 to 1200.00
Two clerks at salaries, each, from.....	.960 to 1200.00
One bookkeeper at a salary from.....	.960 to 1200.00

Two clerks in vital statistics department each at a salary  
from .....960 to 1200.00

Office of State Fire Marshal.

One fire commissioner, shall receive a salary of..... 2700.00  
One deputy, salary not to exceed..... 2000.00  
Two assistant deputies, each at a salary not to exceed..... 1600.00  
One stenographer and clerk at a salary from.....1080 to 1300.00

Office of Railroad Commissioners.

Three railroad commissioners, each at a salary of.....3600.00  
One secretary, salary not to exceed..... 2700.00  
One chief rate clerk, salary not to exceed..... 2400.00  
One reporter, salary not to exceed..... 2000.00  
One assistant rate clerk, salary not to exceed..... 1800.00  
One chief clerk at a salary not to exceed..... 1800.00  
One assistant rate clerk, salary not to exceed..... 1600.00  
One tariff clerk and stenographer, salary not to exceed.... 1300.00  
One statistician, salary not to exceed..... 1800.00  
One signal engineer, salary not to exceed..... 2400.00  
One electrical engineer, salary not to exceed..... 2700.00  
One file clerk, salary from.....960 to 1200.00  
Three stenographers, each, at a salary from.....960 to 1200.00  
Commerce Counsel shall receive a salary of..... 5000.00  
Assistant commerce counsel, salary not to exceed..... 2400.00  
Law clerk, salary not to exceed..... 1800.00  
One clerk, salary not to exceed..... 1400.00  
One stenographer, salary from.....960 to 1200.00

State General Library.

Librarian shall receive a salary of..... 2400.00  
One assistant, salary not to exceed..... 1400.00  
One assistant, salary not to exceed..... 1200.00  
One cataloguer, salary not to exceed..... 1300.00  
One bookkeeper at a salary from.....960 to 1200.00  
Two apprentices, each at a salary not to exceed..... 400.00  
Two janitors, each at a salary not to exceed..... 1080.00

## State Law Library.

One law librarian at a salary of.....	2500.00
One assistant at a salary not to exceed.....	1400.00
One assistant in law department, salary from .....960 to	1200.00
One research assistant, salary not to exceed.....	1400.00
Two janitors, each at a salary not to exceed.....	1080.00

## State Library Legislative Reference Department.

One reference librarian, at a salary of.....	1400.00
One assistant, salary not to exceed.....	400.00

## Library Commission.

One secretary at a salary not to exceed.....	1800.00
One librarian of the traveling library, salary not to exceed	1320.00
One reference librarian, salary not to exceed.....	1320.00
One organizer, salary from.....960 to	1200.00
One cataloguer at a salary from.....960 to	1200.00
Two clerks and stenographers, each at a salary from	960 to 1200.00
One record clerk at a salary from.....960 to	1200.00
Two shipping clerks, each at a salary not to exceed.....	240.00

## Supreme Court Reporter.

Reporter for the Supreme Court shall receive a salary of	3500.00
Chief clerk, salary not to exceed.....	1800.00
Four stenographers, each at salaries from.....960 to	1200.00

## Iowa Weather and Crop Service Bureau.

One Director, at a salary of.....	1800.00
One stenographer and clerk, at a salary from.....960 to	1200.00

In all cases where salaries are based upon a sliding scale, it is the instruction of the legislature that the head of the department shall use discretion as to the amount of the salary he shall pay and shall not pay the high salary to new clerks and stenographers but shall place them on a graduated scale commensurate with ability and length of service.

All salaries herein named are in lieu of all statutory salaries, for the positions named herein, including such salaries as are contained in any bills passed by the 38th General Assembly.

All janitors employed under the provisions of this resolution shall at all times be subject to the orders of the custodian or assistant custodian to perform any additional service, by way of rendering assistance to the state house engineers, carpenters, supply department or any other labor that may be necessary about 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 or assistant custodian to assign such janitors to any such extra service and he shall discharge any janitor for incompetency, inability to perform a reasonable amount of service of the character required, neglect of duty or insubordination.

All employees 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 employees named in this resolution shall be under the control of the head of the department, or deputy acting as such, 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, and any head of a department may at any time discharge any clerk or other employee in such a department for neglect of duty, insubordination or incapacity.

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 employees provided for in this act without first having received the approval of the committee on retrenchment and reform. The employees and extra help provided for the various offices and the additional compensation for service provided in this resolution shall at all times be subject to reduction, limitation or other disposition by the committee on retrenchment and reform, whenever such committee shall find that the number of employees and the amount of additional help and compensation

for the purposes named in this resolution should be reduced, eliminated or changed from one office to another and an order made by said committee, and a copy thereof filed with the department whose employees or help or compensation for help shall be reduced or changed and filed with the auditor of state shall be sufficient to prevent further expenditure for such employees, help or service. The retrenchment and reform committee in making an order furnishing any clerical assistance or expending any money for any other state purpose herein provided for, shall enter the same in its records filed in the office of the secretary of state and file a copy of said order with the department affected, and with the auditor of state.

On motion of Senator Parker, Senate went into executive session.

#### EXECUTIVE SESSION.

On motion and roll call the Senate advised and consented to the appointment of Mr. J. A. Tracey of Sioux City, Iowa, as State Fire Marshal for the term of four years, beginning July 1, 1919.

On motion and roll call the Senate advised and consented to the appointment of Dr. J. O. Woodmansee, of Leon, Iowa, as a member of the State Board of Parole for the term of six years, beginning July 1, 1919.

On motion and roll call the Senate advised and consented to the appointment of Hon. A. B. Funk of Des Moines, Iowa, as Iowa Industrial Commissioner, for the term of six years beginning July 1, 1919.

On motion and roll call the Senate advised and consented to the appointment of Hon. A. M. McColl, of Woodward, Iowa, as a member of the Board of Control, for the term of six years, beginning July 1, 1919.

On motion and roll call the Senate advised and consented to the appointment of Hon. P. K. Holbrook, of Onawa, Iowa, as a member of the State Board of Education for the term of six years, beginning July 1, 1919.

On motion and roll call the Senate advised and consented to the appointment of Hon. D. D. Murphy, of Elkader, Iowa, as member of the State Board of Education, for the term of six years, beginning July 1, 1919.

On motion and roll call the Senate advised and consented to the appointment of Hon. Charles R. Brenton, of Dallas Center, Iowa, as a member of the State Board of Education, for the term of six years, beginning July 1, 1919.

On motion and roll call the Senate advised and consented to the appointment of Mr. Ora Williams, of Des Moines, Iowa, as Document Editor, for the term of two years, beginning July 1, 1919.

Senate arose from executive session and resumed regular session.

#### COMMUNICATION.

Senator Kimball presented the following communication:

MR. PRESIDENT—Sergeant Harry Green, of Council Bluffs, Co. L, 168th Rainbow Division who was gassed, and later shell shocked at Hill 212 in the World War, is visiting this legislature, but refuses to be invited to speak or otherwise take up the time of the Senate. As a mark of regard to one who has distinguished himself, his company and regiment, I move this communication be printed in the journal and the thanks of this Senate be tendered Sergeant Green for his services.

CLEM F. KIMBALL.

By unanimous consent, was taken up, considered and adopted.

#### RESIGNATION OF COMMITTEE CLERK.

HON. E. R. MOORE, *Lieut. Governor*, Senate Chamber.

DEAR MR. MOORE—As I am called away from the city on business, I hereby tender my resignation as committee clerk, to take effect at the close of business on Wednesday, April 16, 1919.

Respectfully yours,

C. W. BOATWRIGHT.

The resignation was accepted.

On motion of Senator Wilson, Senate adjourned until 9:00 a. m. Thursday.



# JOURNAL OF THE SENATE

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 17, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. J. S. Wilson, pastor of First United Presbyterian church of Indianola.

## LEAVE OF ABSENCE.

On request of Senator Hale, leave of absence was granted Senator Wilson for the forenoon.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 477, a bill for an act to repeal section two thousand eight hundred twenty-d1 (2820-d1) Supplement to the Code, 1913, relating to the limitation of indebtedness of Independent School districts and to enact a substitute therefor.

Also:

Senate File No. 278, a bill for an act to amend the law as it appears in chapter three hundred sixty-three (363), acts of the thirty-seventh (37) general assembly, relating to aid for poultry associations.

Also:

Senate File No. 464, a bill for an act to repeal Section forty-eight hundred fifty-two (4852) of the Code, and to enact a substitute therefor, relating to the selling or concealing of mortgaged personal property or property sold under a conditional bill of sale.

Also:

Senate File No. 394, a bill for an act to provide for the detention of inmates of the institution for feeble-minded children and for their return.

in case they leave such institution violation of the provision of this act.

Also:

Senate File No. 425, a bill for an act to amend the law as it appears in section twenty-six hundred twenty-nine (2629), Supplement to the Code, 1913, relating to certification of teachers.

Also:

Senate File No. 261, a bill for an act to amend Section eighteen hundred sixty (1860), Chapter ten (10), Title IX, Supplemental Supplement to the Code, 1915, as amended by Section One (1), Chapter one hundred eighty-nine (189) of the Acts of the Thirty-seventh (37) General Assembly, relating to reserves of Savings Banks; and to amend Section eighteen hundred sixty-seven (1867), Chapter eleven (11) Title IX, of the Code, as amended by Section Two (2), Chapter One hundred eighty-nine (189), of the Acts of the Thirty-seventh (37) General Assembly, relating to reserves of State Banks, and to provide cash reserve requirements for State Banks, Savings Banks and Trust Companies, which are or may hereafter become members of the Federal Reserve Bank System of the United States of America.

Also:

Senate File No. 7, a bill for an act to amend the law as it appears in section seventeen hundred fifty-four (1754), of the Code, relating to combination by insurance companies.

Also:

Senate File No. 173, a bill for an act to repeal Paragraph One (1) of Section Four Hundred Forty-two (442) of the Code and to enact a substitute therefor, and to add to said Section of Paragraph to be known as Five (5), all relative to record of Meetings of Board of Supervisors.

Also:

Senate File No. 456, a bill for an act granting additional powers to cities and municipalities and to the Board of Health in cities and municipalities.

Also:

Senate File No. 322, a bill for an act to empower and authorize grading, paving and curbing of certain streets and highways by the joint action of counties, cities and towns.

EUGENE SCHAFFER, *Chairman.*

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 477, a bill for an act to repeal section two thousand eight hundred twenty-d1 (2820-d1) Supplement to the Code, 1913, relating to the limitation of indebtedness of Independent School districts and to enact a substitute therefor.

Also:

Senate File No. 278, a bill for an act to amend the law as it appears in chapter three hundred sixty-three (363), acts of the thirty-seventh (37) general assembly, relating to aid for poultry associations.

Also:

Senate File No. 464, a bill for an act to repeal Section forty-eight hundred fifty-two (4852) of the Code, and to enact a substitute therefor, relating to the selling or concealing of mortgaged personal property or property sold under a conditional bill of sale.

Also:

Senate File No. 394, a bill for an act to provide for the detention of inmates of the institution for feeble-minded children and for their return in case they leave such institution in violation of the provision of this act.

Also:

Senate File No. 425, a bill for an act to amend the law as it appears in section twenty-six hundred twenty-nine (2629), Supplement to the Code, 1913, relating to certification of teachers.

Also:

Senate File No. 261, a bill for an act to amend Section eighteen hundred sixty (1860), Chapter ten (10), Title IX, Supplemental Supplement to the Code, 1915, as amended by Section One (1), Chapter one hundred eighty-nine (189) of the Acts of the Thirty-seventh (37) General Assembly, relating to reserves of Savings Banks; and to amend Section eighteen as amended by Section Two (2), Chapter One hundred eighty-nine (189), of the Acts of the Thirty-seventh (37) General Assembly, relating to reserves of State Banks, and to provide cash reserve requirements for State Banks, Savings Banks and Trust Companies, which are or may hereafter become members of the Federal Reserve Bank System of the United States of America.

Also:

Senate File No. 7, a bill for an act to amend the law as it appears in section seventeen hundred fifty-four (1754), of the Code, relating to combination of insurance companies.

Also:

Senate File No. 173, a bill for an act to repeal Paragraph One (1) of Section Four Hundred Forty-two (442) of the Code and to enact a substitute therefor, and to add to said Section of Paragraph to be known as Five (5), all relative to record of Meetings of Board of Supervisors.

Also:

Senate File No. 456, a bill for an act granting additional powers to cities and municipalities and to the Board of Health in cities and municipalities.

Also:

Senate File No. 322, a bill for an act to empower and authorize the grading, paving and curbing of certain streets and highways by the joint action of counties, cities and towns.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

### THIRD READING OF BILLS.

On motion of Senator Kimball, Senate File No. 72, a bill for an act appropriating the sum of sixty-seven and 0 100 dollars (\$67.00), in payment of cost of survey of river bed in East Omaha, with report of committee recommending passage, was taken up, considered, and the report of the committee 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.

Senator Kimball invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35.

Anderson  
Balkema  
Buser  
Byington

Cessna  
Coburn  
Edwards  
Evans

Fellows  
Foskett  
Frailey  
Greenell

Hale	Newberry	Shane	
Haskell	Parker	Smith	...
Holdoegel	Proudfoot	Stephenson	
Horchem	Ratcliff	Stoddard	
Kimball	Reed	Taylor	
Meredith	Rule	White	
Mitchell	Schaffter	Whitmore	
Nelson	Scott		

Nays, none.

Absent or not voting, 15.

Adams	Foster	Price
Arney	Kimberly	Rainbow
Ball	Kingland	Thompson
Brookhart	LeCompte	Van Alstine
Broxam	Pitt	Wilson

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

Senator Kimball moved that the vote by which Senate File No. 72 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Kimball, House File No. 272, a bill for an act appropriating funds for paving roads through and adjacent to the grounds of the Iowa School for the Deaf, providing for the manner of construction of said pavement, and amending Chapter 276, of the laws of the 37th General Assembly relating to the same matter, with report of committee recommending amendments and passage was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by substituting for the words and figures "Sixteen Thousand Dollars (\$16,000.00)" in the eighth (8th) line of Section 3, the words and figures "Twenty-Two Thousand Dollars (\$22,000.00)".

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

On the question, "Shall the bill pass?" the vote was:

## Ayes, 31.

Anderson	Holdoegel	Reed
Balkema	Horchem	Rule
Byington	Kimball	Schaffter
Coburn	Kingland	Scott
Edwards	Meredith	Shane
Fellows	Mitchell	Smith
Foskett	Newberry	Stephenson
Foster	Parker	Stoddard
Greenell	Proudfoot	White
Hale	Ratcliff	Whitmore
Haskell		

Nays, none.

Absent or not voting, 19.

Adams	Evans	Price
Arney	Frailey	Rainbow
Ball	Kimberly	Taylor
Brookhart	LeCompte	Thompson
Broxam	Nelson	Van Alstine
Buser	Pitt	Wilson
Cessna		

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 Edwards, House File No. 325, a bill for an act to authorize the executive council to contract for and cause to be installed an electrical and mechanical system for registration of votes of members of the assembly, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

## Ayes, 25.

Adams	Greenell	Ratcliff
Anderson	Horchem	Reed
Balkema	Kimball	Schaffter
Brookhart	Kingland	Shane
Byington	LeCompte	Smith
Edwards	Meredith	Stephenson
Fellows	Mitchell	Van Alstine
Foskett	Newberry	Whitmore
Foster		

Nays, 14.

Ball	Hale	Rainbow
Buser	Haskell	Rule
Cessna	Parker	Stoddard
Coburn	Pitt	Van Alstine
Evans	Price	

Absent or not voting, 11.

Arney	Kimberly	Taylor
Broxam	Nelson	Thompson
Fralley	Proudfoot	Wilson
Holdoegel	Scott	

So the bill, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

On motion of Senator Adams, House File No. 312, a bill for an act to amend section four hundred twenty-four (424) of the code, relating to the amount which may be appropriated by the board of supervisors for the building of bridges, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Adams 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 vote was:

Ayes, 33.

Adams	Greenell	Ratcliff
Anderson	Haskell	Reed
Arney	Holdoegel	Rule
Ball	Horchem	Schaffter
Brookhart	Kingland	Scott
Broxam	Meredith	Shane
Byington	Mitchell	Stephenson
Cessna	Nelson	Stoddard
Coburn	Newberry	Van Alstine
Edwards	Parker	White
Fellows	Rainbow	Whitmore

Nays, none.

Absent or not voting, 17.

Balkema	Hale	Rainbow
Buser	Kimball	Smith
Evans	Kimberly	Taylor
Foskett	Pitt	Thompson
Foster	Price	Wilson
Fralley	Proudfoot	

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

Senator Adams moved that the vote by which House File No. 312 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Holdoegel, Senate File No. 538, a bill for an act to amend section two thousand five hundred thirty-nine (2539), supplemental supplement to the code, 1915, and amending title twelve (XII), chapter fifteen (15), supplemental supplement to the code, 1915, relating to the appointment of the state fish and game warden and prohibiting political activity or contributions by any warden, deputy warden or employe of such department, and prohibiting the solicitation of political contributions from such warden, deputy or employe, and providing penalty for violation of such prohibitions, was taken up and considered.

Senator Holdoegel moved the adoption of the following amendment previously filed by him:

Amend by adding at the close of section one the following: "The State Fish and Game Warden shall furnish bonds in the penal sum of Ten Thousand Dollars (\$10,000.00)."

The amendment was adopted.

Senator Holdoegel 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 vote was:

Ayes, 40.

Adams	Ball	Byington
Anderson	Brookhart	Cessna
Arney	Broxam	Coburn
Balkema	Buser	Edwards



Evans	Newberry	Scott
Fellows	Parker	Shane
Foskett	Price	Smith
Greenell	Proudfoot	Stephenson
Hale	Rainbow	Stoddard
Haskell	Ratcliff	Taylor
Holdoegel	Reed	Van Alstine
Horchem	Rule	White
Kimball	Schaffter	Whitmore
Mitchell		

Nays, none.

Absent or not voting, 10.

Foster	LeCompte	Pitt
Fralley	Meredith	Thompson
Kimberly	Nelson	Wilson
Kingland		

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

Senator Holdoegel offered the following amendment to the title and moved its adoption:

Amend by inserting after the word "warden" in line 5 of the title the words "and providing for his bond,".

The amendment was adopted and the title as amended was agreed to.

Senator Holdoegel moved that the vote by which Senate File No. 538 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Foskett, House File No. 239, a bill for an act to repeal the law as it appears in Section thirty-two hundred seven (3207), of the code, and to enact a substitute therefor relative to the Petition and Notice to sell real estate by guardian, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

## Ayes, 13.

Anderson	Foskett	Proudfoot
Arney	Fralley	Rainbow
Balkema	Hale	Reed
Broxam	Kimberly	Van Alstine
Coburn		

## Nays, 26.

Adams	Kingland	Schaffter
Ball	Meredith	Shane
Brookhart	Mitchell	Smith
Buser	Nelson	Stephenson
Byington	Newberry	Stoddard
Evans	Parker	Taylor
Greenell	Price	White
Haskell	Ratcliff	Whitmore
Horchem	Rule	

## Absent or not voting, 11.

Cessna	Holdoegel	Scott
Edwards	Kimball	Thompson
Fellows	LeCompte	Wilson
Foster	Pitt	

So the bill, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

Senator Rule moved that the vote by which House File No. 239 failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

## RECONSIDERATION ASKED.

Senator Price asked unanimous consent to file a motion to reconsider the vote by which the report of the committee was adopted indefinitely postponing House File No. 446.

Objection was made.

## THIRD READING OF BILLS.

On motion of Senator Reed, House File No. 382, a bill for an act to amend the law as it appears in Section Twenty-Seven Hundred Forty (2740) of the Code, relating to the duties of county superintendents, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 31.

Adams	Foster	Ratcliff
Anderson	Greenell	Reed
Arney	Hale	Rule
Balkema	Haskell	Schaffter
Ball	LeCompte	Shane
Brookhart	Mitchell	Smith
Broxam	Newberry	Stoddard
Byington	Parker	Van Alstine
Coburn	Proudfoot	White
Edwards	Rainbow	Whitmore
Fellows		

Nays, none.

Absent or not voting, 19.

Buser	Kimball	Price
Cessna	Kimberly	Scott
Evans	Kingland	Stephenson
Foskett	Meredith	Taylor
Fralley	Nelson	Thompson
Holdoegel	Pitt	Wilson
Horchem		

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

Senator Reed moved that the vote by which House File No. 382 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### CONFERENCE COMMITTEE ON HOUSE FILE NO. 122.

The president announced the appointment of the following members of the conference committee on House File No. 122, on the part of the Senate.

Senators Balkema, Wilson, Schaffter and Hale.

## BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate in the presence of the Senate he had signed Senate Files Nos. 261, 7, 173, 456, 322, 477, 278, 464, 394 and 425.

## THIRD READING OF BILLS.

On motion of Senator Parker, House File No. 526, a bill for an act to confer additional powers on cities now or hereafter having a population of one hundred thousand (100,000) inhabitants or over, including cities acting under the commission plan of government, relating to water works, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 39.

Adams	Fellows	Price
Anderson	Foskett	Proudfoot
Arney	Fralley	Rainbow
Balkema	Greenell	Ratcliff
Ball	Hale	Reed
Brookhart	Haskell	Rule
Broxam	Kimball	Schaffter
Buser	Meredith	Shane
Byington	Mitchell	Smith
Cessna	Nelson	Stephenson
Coburn	Newberry	Stoddard
Edwards	Parker	Van Alstine
Evans	Pitt	Whitmore

Nays, none.

Absent or not voting, 11.

Foster	Kingland	Thompson
Holdoegel	LeCompte	White
Horchem	Scott	Wilson
Kimberly	Taylor	

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

Senator Parker moved that the vote by which House File No. 526 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Frailey, House File No. 523, a bill for an act to amend the law as it appears in Section Two (2), Chapter Four hundred twenty-eight (428), acts of the Thirty-seventh General Assembly of Iowa, authorizing certain Insurance Companies to insure against loss or damage resulting from personal injury or death caused by error or negligence of the insured in the practice of medicine, surgery or dentistry, or in the prescribing or dispensing of drugs or medicines, with report of committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Frailey offered the following amendment and moved its adoption:

Amend Section 1 of the Substitute for House File No. 523, as it appears on page 1739 of the journal of the House, by striking therefrom the last five lines thereof, and by substituting for the lines so stricken, the following: "that any policy issued by any such company shall contain a provision so that said policy shall inure to the benefit of any person obtaining a judgment against the insured to the extent of the insurance carried and for the purpose for which the insurance was issued."

■ The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 35.

Adams	Greenell	Ratcliff
Anderson	Haskell	Reed
Arney	Horchem	Rule
Balkema	Kimball	Schaffter
Ball	LeCompte	Shane
Broxam	Meredith	Smith
Buser	Mitchell	Stoddard
Coburn	Neison	Taylor
Edwards	Parker	Van Alstine
Evans	Pitt	White
Fellows	Proudfoot	Whitmore
Frailey	Rainbow	

Nays, 3.

Byington

Hale

Price

Absent or not voting, 12.

Brookhart

Holdoegel

Scott

Cessna

Kimberly

Stephenson

Foskett

Kingland

Thompson

Foster

Newberry

Wilson

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

Senator Frailey moved that the vote by which House File No. 523 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### MOTION TO RECONSIDER FILED.

MR. PRESIDENT—I move to reconsider the vote by which House File No. 325 failed to pass the Senate.

W. T. EVANS.

#### CONFERENCE COMMITTEE REPORT ADOPTED.

Senator Taylor called up House File No. 550, the Motor Vehicle bill, and moved the adoption of the report of the conference committee.

The report was adopted.

Senator Parker was called to the chair at 10:30.

Senator Taylor moved the adoption of the committee amendments, found on pages 2061 to 2085 inclusive, of the Senate journal for April 16th.

Senator Smith moved the previous question on the committee amendments and on the bill, which motion prevailed and the previous question was ordered.

Senator Kimball raised the point of order that the time of Senator Taylor in closing the debate had expired.

The point was held to be well taken.

Senator Evans asked unanimous consent to ask Senator Taylor a question. Objection was made by Senator Kimball.

Senator Evans moved that he be allowed to ask Senator Taylor a question.

The motion prevailed.

Senator Scott raised the point of order that debate was out of order.

Senator Smith also raised the same point of order.

The point of order was sustained.

Senator Price moved that the vote by which the previous question was ordered be reconsidered.

The motion was lost.

Senator Taylor moved that the Senate concur in and adopt the amendment recommended by the conference committee and found on pages 2061 to 2085 inclusive of the journal.

President Moore resumed the chair at 11:50 a. m.

On the question, "Shall the amendment be concurred in and adopted?" the vote was:

Ayes, 40.

Adams	Foster	Rainbow
Anderson	Greenell	Reed
Arney	Hale	Rule
Balkema	Haskell	Schaffter
Ball	Holdoegel	Scott
Brookhart	Horchem	Shane
Broxam	Kimberly	Smith
Byington	Kingland	Stephenson
Cessna	Newberry	Stoddard
Coburn	Parker	Taylor
Edwards	Pitt	Van Alstine
Evans	Price	White
Fellows	Proudfoot	Whitmore
Foskett		

Nays, 8.

Buser	LeCompte	Nelson
Frailey	Meredith	Ratcliff
Kimball	Mitchell	

Absent or not voting, 2.

Thompson

Wilson

The conference committee amendments having received a constitutional majority, were declared to have been concurred in and adopted by the Senate.

Senator Taylor moved that the vote by which the conference committee report on, and amendments to, House File No. 550 were adopted by the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### EXPLANATION OF VOTE ON HOUSE FILE 550.

I vote "aye" on concurrence of House File No. 550 on the promise that there shall be introduced at this session a bill which will make provision caring for the permission of auto truck drivers to drive trucks without license in emergency cases for a limited time.

JNO. R. PRICE.

We do not wish to seem inconsistent in our vote on this measure and for that reason we wish to explain that we consider the present amended bill much better than House File No. 550 as originally passed, but the bill is not now satisfactory to us. However, our objection to blocking such important legislation at this late date is stronger than our objection to the bill and we therefore vote aye.

J. L. BROOKHART,

M. B. PITT,

J. W. FOSTER.

I vote aye upon this bill not because I believe it a wise piece of legislation nor one that will be approved by the people of the state nor that does justice to the people of the state, but because my only choice is to vote for this bill or leave the state without legislation upon this subject.

GEO. W. BALL.

#### 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. 510 in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*



Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 535, a bill for an act relative to boundaries of Capitol extension.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 124, a bill for an act to repeal the law as it appears in sections Four hundred seventy-nine (479), Four hundred ninety (490), Four hundred ninety-five (495) and Five hundred ten A (510-a) Supplemental Supplement to the Code, 1915, and section one (1) of Chapter four hundred twenty-six (426) of the Acts of the Thirty-seventh General Assembly and section two thousand seven hundred forty two (2742) supplement to the code, 1913, and to enact substitutes in lieu thereof, relating to the duties and compensation of County Officers.

#### HOUSE AMENDMENTS.

Amend Section 3 of Senate File No. 124 by striking out the first three lines of said section and inserting in lieu thereof the following:

SEC. 3. That section four hundred ninety-five (495), supplemental supplement to the code, 1915, be amended by striking from said section all after the period in the ninth (9) line thereof and inserting in lieu thereof the following:

Also:

Amend S. F. No. 124 by inserting after the word "of" in the sixth line of section six the words "less than".

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 202 in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 344.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 433 in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 524, a bill for an act to amend Senate File two hundred and ten (210) as enacted by the thirty-eighth (38) general assembly and approved March 14, 1919, relating to a codification of the laws and the printing and publishing of the code and the reports of the code commission.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House returns as requested House File No. 420.

W. C. RAMSAY, *Chief Clerk.*

#### AMENDMENTS FILED.

MR. PRESIDENT—I move to amend Senate File No. 540 as follows:

1. Place a comma after the words "pit boss" in line two of section two and insert after the said comma the words "mine foreman".

2. Place a comma after the words "pit bosses" in line two of section four and insert after said comma the words "mine foreman".

3. Insert as section five the following:

All acts and parts of acts in conflict herewith are hereby repealed.

4. Number section five (5) as section six (6).

5. Amend the title by adding a comma after the words "pit bosses" in the last line of the title and adding there to the words "mine foreman".

P. C. HOLDOEGEL.

On motion of Senator Kingland, Senate adjourned until 1:00 p. m. today.

## AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

## MOTION FILED TO RECONSIDER.

I move to reconsider the vote by which House Joint Resolution No. 4 passed the Senate, and also the vote by which it went to its third reading.

H. I. FOSKETT.

## THIRD READING OF BILLS.

On motion of Senator Balkema, Senate File No. 449, a bill for an act to amend the law as it appears in section fifteen hundred twenty-seven-S1 (1527-S1), Supplement to the Code, 1913, relative to the compensation of members of the State Highway Commission, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. That the word "ten" in line four (4) of Section fifteen hundred twenty-seven-S1 (1527-S1), Supplement to the Code, 1913, be stricken out and the word "twenty" inserted therein.

Senator Balkema 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.

Senator Balkema invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

Ayes, 28.

Anderson	Hale	Proudfoot
Arney	Haskell	Rainbow
Balkema	Holdoegel	Ratcliff
Broxam	Horchem	Reed
Byington	Kimball	Rule
Coburn	Kingland	Schaffter
Edwards	Meredith	Smith
Evans	Mitchell	Whitmore
Fellows	Parker	Wilson
Fralley		

## Nays, 8.

Brookhart	Greenell	Price
Buser	LeCompte	Stephenson
Cessna	Nelson	

## Absent or not voting, 14.

Adams	Newberry	Taylor
Ball	Pitt	Thompson
Foskett	Scott	Van Alstine
Foster	Shane	White
Kimberly	Stoddard	

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. 449 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

On the question, "Shall the motion prevail?" the vote was:

## Ayes, 29.

Anderson	Hale	Rainbow
Arney	Haskell	Ratcliff
Balkema	Holdoegel	Reed
Broxam	Horchem	Rule
Byington	Kimball	Schaffter
Coburn	Kingland	Smith
Edwards	Mitchell	Stephenson
Evans	Newberry	Van Alstine
Fellows	Parker	Whitmore
Fralley	Proudfoot	

## Nays, 4.

Buser	Nelson	Price
LeCompte		

## Absent or not voting, 17.

Adams	Greenell	Stoddard
Ball	Kimberly	Taylor
Brookhart	Meredith	Thompson
Cessna	Pitt	White
Foskett	Scott	Wilson
Fralley	Shane	

The motion prevailed.

On motion of Senator Holdoegel, Senate File No. 540, a bill for an act to repeal Sections Twenty-four Hundred Eighty-nine-b (2489-b) and Section Twenty-four Hundred Eighty-nine-c (2489-c)

Supplement to the Code, 1913, be repealed and providing a substitute therefor relating to the Board of Examiners of pit bosses and hoisting engineers in mines, a committee bill, was taken up and considered.

Senator Holdoegel offered the following amendments and moved their adoption:

Amend Senate File No. 540 as follows:

1. Place a comma after the words "pit boss" in line two of section two and insert after the said comma the words "mine foreman".
2. Place a comma after the words "pit bosses" in line two of section four and insert after said comma the words "mine foreman".
3. Insert as section five the following:  
All acts and parts of acts in conflict herewith are hereby repealed.
4. Number section five (5) as section six (6).
5. Amend the title by adding a comma after the words "pit bosses" in the last line of the title and inserting after said comma the words "mine foreman".

The amendments were adopted.

Senator Holdoegel 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 vote was:

Ayes, 31.

Adams	Fellows	Nelson
Anderson	Foskett	Pitt
Arney	Hale	Ratcliff
Balkema	Haskell	Reed
Ball	Holdoegel	Rule
Brookhart	Horchem	Schaffter
Broxam	Kimberly	Stephenson
Buser	Kingland	Stoddard
Byington	Meredith	Van Alstine
Cessna	Mitchell	White
Evans		

Nays, 7.

Edwards	Price	Whitmore
Foster	Rainbow	Wilson
Parker		

Absent or not voting, 12.

Coburn  
Fralley  
Greenell  
Kimball

LeCompte  
Newberry  
Proudfoot  
Scott

Shane  
Smith  
Taylor  
Thompson

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

Senator Holdoegel moved that the vote by which Senate File No. 540 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

Senator Kingland called up House File No. 420 for the purpose of amending the title.

By unanimous consent, Senator Kingland offered the following amendment to the title and moved its adoption:

Amend the title to House File No. 420 by inserting before the word "relating" in line two the following: "and to enact a substitute therefor."

The amendment was adopted and the title as amended was agreed to.

### THIRD READING OF BILLS.

On motion of Senator Proudfoot, House File No. 570, a bill for an act to legalize an ordinance of the incorporated City of Oelwein, Iowa, granting a franchise to the Oelwein Light, Heat and Power Company, a corporation, its successors or assigns, to acquire, construct, re-construct, maintain and operate an electric light and power plant in said city, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 30.

Adams	Hale	Proudfoot
Balkema	Haskell	Ratcliff
Ball	Holdoegel	Reed
Brookhart	Horchem	Rule
Broxam	Kimberly	Schaffter
Buser	Meredith	Stephenson
Byington	Mitchell	Stoddard
Cessna	Nelson	Van Alstine
Edwards	Parker	Whitmore
Evans	Price	Wilson

Nays, none.

Absent or not voting, 20.

Anderson	Greenell	Scott
Arney	Kimball	Shane
Coburn	Kingland	Smith
Fellows	LeCompte	Taylor
Foskett	Newberry	Thompson
Foster	Pitt	White
Fralley	Rainbow	

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

#### HOUSE AMENDMENT CONCURRED IN.

Senator Schaffter called up Senate File No. 124, amended by the House, and moved that the Senate concur in the following House amendment:

Amend Section 3 of Senate File No. 124 as amended by the Senate to read as follows:

"That section four hundred ninety five (495) supplemental supplement to the code, 1915, be amended by striking from said section all after the period (.) in the ninth (9) line thereof and inserting in lieu thereof the following:

Also:

Amendment to the amendment to Senate File No. 124, relating to the County Superintendent of Schools.

Insert after the word "of" in the first line thereof the words "less than".

On the question, "Shall the Senate concur?" the vote was:

## Ayes, 29.

Adams	Horchem	Reed
Balkema	Kimball	Rule
Broxam	Kimberly	Schaffter
Byington	Meredith	Shane
Cessna	Mitchell	Stoddard
Edwards	Parker	Thompson
Evans	Pitt	Van Alatine
Foster	Proudfoot	Whitmore
Hale	Rainbow	Wilson
Holdoegel	Ratcliff	

## Nays, 4.

Ball	Buser	Stephenson
Brookhart		

## Absent or not voting, 17.

Anderson	Greenell	Price
Arney	Haskell	Scott
Coburn	Kingland	Smith
Fellows	LeCompte	Taylor
Foskett	Nelson	White
Frailley	Newberry	

The House amendments, having received a constitutional majority, were declared to have been concurred in by the Senate.

## 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 consider the following bill, in which the concurrence of the House was asked:

Senate File No. 498, a bill for an act relating to attorneys and counselors and the practice of law.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 480, a bill for an act relating to settlement with state officers, appointment of expert accountants and assistants.

W. C. RAMSAY, *Chief Clerk.*

## HOUSE AMENDMENT CONCURRED IN.

Senator Adams called up Senate File No. 203, amended by the



House, and moved that the Senate concur in the following House amendment:

Amend by striking from lines 4 and 5 of section 3 the words and figures "three hundred seventeen thousand dollars (\$317,000.00)" and inserting in lieu thereof the words and figures "Three Hundred Fifty Seven Thousand dollars (\$357,000.00)" and by striking from line 29 of section 3 the figures "10,000.00" and inserting in lieu thereof the figures "50,000.00".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 13.

Anderson  
Arney  
Brookhart  
Edwards  
Haskell

Horchem  
Meredith  
Parker  
Rainbow

Rule  
Schaffter  
White  
Wilson

Nays, 22.

Adams  
Ball  
Broxam  
Buser  
Byington  
Evans  
Fellows  
Foskett

Hale  
Holdoegel  
Kimball  
Nelson  
Price  
Proudfoot  
Ratcliff  
Reed

Shane  
Stephenson  
Stoddard  
Thompson  
Van Alstine  
Whitmore

Absent or not voting, 15.

Balkema  
Cessna  
Coburn  
Foster  
Fralley

Greenell  
Kimberly  
Kingland  
LeCompte  
Mitchell

Newberry  
Pitt  
Scott  
Smith  
Taylor

The Senate refused to concur in the House amendments.

### THIRD READING OF BILLS.

On motion of Senator Mitchell, House File No. 372, a bill for an act for the purpose of having a patent issue in the name of Ransome L. Hogate for a certain tract of land, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 36.

Adams	Haskell	Proudfoot
Brookhart	Holdoegel	Rainbow
Broxam	Horchem	Ratcliff
Buser	Kimball	Reed
Byington	Kimberly	Schaffter
Cessna	LeCompte	Shane
Coburn	Meredith	Smith
Edwards	Mitchell	Stephenson
Evans	Nelson	Stoddard
Fralley	Parker	Taylor
Greenell	Pitt	Van Alstine
Hale	Price	Wilson

Nays, 2.

Rule                      Whitmore

Absent or not voting, 12.

Anderson	Fellows	Newberry
Arney	Foskett	Scott
Balkema	Foster	Thompson
Ball	Kingland	White

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

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 17th day of April, 1919, sent to the governor for his approval, Senate File No. 477, a bill for an act To repeal section two thousand eight hundred twenty-d1 (2820-d1) Supplement to the Code, 1913, relating to the limitation of indebtedness of Independent School districts and to enact a substitute therefor.

Also:

Senate File No. 278, a bill for an act to amend the law as it appears in chapter three hundred sixty-three (363), acts of the thirty-seventh (37th) general assembly, relating to aid for poultry associations.

Also:

Senate File No. 464, a bill for an act to repeal Section forty-eight hundred fifty-two (4852) of the Code, and to enact a substitute therefor, re-

lating to the selling or concealing of mortgaged personal property or property sold under a conditional bill of sale.

Also:

Senate File No. 394, a bill for an act to provide for the detention of inmates of the institution for feeble-minded children and for their return in case they leave such institution in violation of the provision of this act.

Also:

Senate File No. 425, a bill for an act to amend the law as it appears in section twenty-six hundred twenty-nine (2629), Supplement to the Code, 1913, relating to certification of teachers.

Also:

Senate File No. 261, a bill for an act to amend Section eighteen hundred sixty (1860), Chapter ten (10), Title IX, Supplemental Supplement to the Code, 1915, as amended by Section One (1), Chapter one hundred eighty-nine (189) of the Acts of the Thirty-seventh (37) General Assembly, relating to reserves of Savings Banks; and to amend Section eighteen hundred sixty-seven (1867), Chapter eleven (11), Title IX, of the Code, as amended by Section Two (2), Chapter One hundred eighty-nine (189), of the Acts of the Thirty-seventh (37) General Assembly, relating to reserves of State Banks, and to provide cash reserve requirements for State Banks, Savings Banks and Trust Companies, which are or may hereafter become members of the Federal Reserve Bank System of the United States of America.

Also:

Senate File No 7, a bill for an act to amend the law as it appears in section seventeen hundred fifty-four (1754), of the Code, relating to combination by insurance companies.

Also:

Senate File No. 173, a bill for an act to repeal Paragraph One (1) of Section Four Hundred Forty-two (442) of the Code and to enact a substitute therefor, and to add to said Section a Paragraph to be known as Five (5), all relative to record of Meetings of Board of Supervisors.

Also:

Senate File No. 456, a bill for an act granting additional powers to cities and municipalities and to the Board of Health in cities and municipalities.

Also:

Senate File No. 322, a bill for an act to empower and authorize the

grading, paving and curbing of certain streets and highways by the joint action of counties, cities and towns.

EUGENE SCHAFFTER, *Chairman.*

• Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 251, a bill for an act to amend title five (V), chapter nine (9), of the code, relating to park commissioners and board of public works, by repealing section eight hundred fifty-c (850-c) and eight hundred fifty-f (850-f), supplement to the code, 1913, and enacting substitutes therefor, providing for additional funds for parks, with provisions for borrowing money and issuing bonds therefor, and for acquisitions of real estate and the permanent improvement thereof.

Also:

House File No. 275, a bill for an act to amend the law as it appears in section 2734-b, supplemental supplement to the code 1915 as amended by chapter 317, acts of the thirty-seventh general assembly, relating to deputy county superintendents.

Also:

House File No. 317, a bill for an act to amend chapter four (4) title ten (X) of the code relating to taking private property for works of internal improvement and providing that incorporated county fair societies or county agricultural associations or district agricultural associations shall have the power of eminent domain.

Also:

House File No. 342, a bill for an act to amend section twenty-seven hundred ninety-four-g (2794-g) supplemental supplement to the code, 1915, relating to annual appropriation for state aid to consolidated schools.

Also:

House File No. 410, a bill for an act to amend section 2778, supplemental supplement to the code 1915, relating to contracts with teachers.

Also:

House File No. 416, a bill for an act to amend section twenty-two hundred ninety-seven (2297), code, providing for liability of estates for the keeping of insane patients at private hospitals.

Also:

House File No. 528, a bill for an act to amend section thirty-two hundred sixty-n (3260-n) of the supplement to the code 1913, increasing the annual appropriation for paying the expenses of inspecting institutions in which insane persons are kept.

Also:

House File No. 557, a bill for an act giving boards of supervisors, city and town councils, and school boards the authority and power to employ visiting or public health nurses and to pay the salary and expenses thereof.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

### THIRD READING OF BILLS.

On motion of Senator Taylor, House File No. 567, a bill for an act to legalize certain warrants of the Independent School District of Fairbank, Buchanan, Fayette, Black Hawk and Bremer Counties, Iowa, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Taylor moved that the rules be suspended, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 34.

Adams	Kimberly	Reed
Byington	LeCompte	Rule
Coburn	Meredith	Schaffter
Edwards	Mitchell	Shane
Evans	Nelson	Smith
Frailey	Newberry	Stephenson
Greenell	Parker	Stoddard
Hale	Price	Taylor
Haskell	Proudfoot	Van Alstine
Holdoegel	Rainbow	Whitmore
Horchem	Ratcliff	Wilson
Kimball		

Nays, none.

Absent or not voting, 16.

Anderson	Buser	Kingland
Arney	Cessna	Pitt
Balkema	Fellows	Scott
Ball	Foskett	Thompson
Brookhart	Foster	White
Broxam		

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 vote by which House File No. 567 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### REPORT OF COMMITTEE.

Senator Proudfoot, from the sifting committee, submitted the following report:

MR. PRESIDENT—Your sifting committee, to whom was referred House File No. 107, a bill for an act to compensate one Roy Harrison for injuries received while working in the Reformatory at Anamosa under sentence of court, whereby he lost a part of his right hand, and making an appropriation to pay such compensation, beg leave to report they have had the same under consideration and recommend the same be referred to the Committee on Appropriations.

A. V. PROUDFOOT, *Chairman*.

The report was adopted and the bill referred to the committee on appropriations.

#### RESOLUTION ADOPTED.

Senator Kimball called up the following concurrent resolution offered by him and moved its adoption:

*Be It Resolved by the Senate of the Thirty-eighth General Assembly, the House concurring:*

*That whereas, the Federal Government has seen fit to pay large and remunerative salaries to various employees of the railroads who were exempted from service in the late war, while men that left their employment and entered the service of their country, making a sacrifice of their time and offering their lives in the interest of humanity received only soldiers' pay, limited to thirty dollars (\$30) per month to privates, and*

Whereas, the government has recently increased the pay of some of its employees and Congress has adjourned by operation of law, and no special session of Congress has been called by the President, and no provision was made for payment of soldiers, sailors, and marines leaving the service, except the paltry bonus of sixty dollars (\$60.00) to each man, which sum is grossly inadequate to meet the needs of men who have sacrificed much and who are not all fortunate in returning to their positions, and

Whereas, it is within the duty of the Federal Government and not the state government to provide a just and adequate pay and reward to those who were in the service, now therefore,

*Be It Resolved*, that this General Assembly does hereby memorialize the government of the United States and Congress to provide at its first session for the payment of all soldiers, sailors and marines who have served six months in the service of the United States just prior to their discharge, full pay for six months from and after their discharge, or such suitable pay and reward as may more fairly compensate such men of the service, and

*Be It Further Resolved*, that the Governor shall transmit to the Federal Government and to each house of Congress, and to such members of each house as he may deem wise properly engrossed copy of this memorial.

On the question, "Shall the resolution be adopted?" the vote was:

Ayes, 37.

Anderson	Horchem	Rule
Arney	Kimball	Scott
Broxam	Kimberly	Shane
Buser	Kingland	Smith
Byington	Meredith	Stephenson
Cessna	Mitchell	Stoddard
Coburn	Nelson	Taylor
Edwards	Parker	Thompson
Foster	Price	Van Alstine
Frailey	Proudfoot	White
Hale	Rainbow	Whitmore
Haskell	Ratcliff	Wilson
Holdoegel		

Nays, none.

Absent or not voting, 13.

Adams	Fellows	Newberry
Balkema	Foskett	Pitt
Ball	Greenell	Reed
Brookhart	LeCompte	Schaffter
Evans		

The resolution was adopted.

Senator Kimball moved that the vote by which the resolution was adopted by the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### BILLS SIGNED BY THE PRESIDENT.

The president announced that as president of the Senate in the presence of the Senate he had signed House Files Nos. 251, 275, 317, 342, 410, 416, 528 and 557.

President pro tem Arney was called to the chair at 2:45.

#### THIRD READING OF BILLS.

On motion of Senator Smith, House File No. 564, a bill for an act relating to the term of office of the State document editor, amending section one hundred forty-four-e (144-e) supplemental supplement to the code, 1915, with report of the sifting 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, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 40.

Anderson	Holmoe	Rule
Arney	Horchem	Schaffter
Broxam	Kimball	Scott
Byington	Kimberly	Shane
Cessna	Kingland	Smith
Coburn	LeCompte	Stephenson
Edwards	Meredith	Stoddard
Evans	Mitchell	Taylor
Fellows	Nelson	Thompson
Foskett	Parker	Van Alstine
Fralley	Proudfoot	White
Greenell	Rainbow	Whitmore
Hale	Ratcliff	Wilson
Haskell		

Nays, 1.

Price



Absent or not voting, 9.

Adams	Brookhart	Newberry
Balkema	Buser	Pitt
Ball	Foster	Reed

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 Rainbow, House File No. 565, a bill for an act to amend section seven hundred twenty (720), Supplement to the Code, 1913, granting cities under ten thousand (10,000) population owning their own water plant the right to utilize the exhaust steam and excess power in the manufacture of artificial ice, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Rainbow 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 vote was:

Ayes, 37.

Anderson	Kimball	Rule
Arney	Kimberly	Schaffter
Broxam	Kingland	Scott
Byington	LeCompte	Shane
Coburn	Meredith	Stephenson
Edwards	Mitchell	Stoddard
Fellows	Nelson	Taylor
Foster	Parker	Thompson
Greenell	Price	Van Alstine
Hale	Proudfoot	White
Haskell	Rainbow	Whitmore
Holdoegel	Ratcliff	Wilson
Horchem		

Nays, none.

Absent or not voting, 13.

Adams	Cessna	Newberry
Balkema	Evans	Pitt
Ball	Foskett	Reed
Brookhart	Fralley	Smith
Buser		

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

Senator Rainbow moved that the vote by which House File No. 565 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### INTRODUCTION OF BILLS.

By sifting committee, Senate File No. 542, a bill for an act to repeal the law as it appears in Section One Hundred Ninety-eight (198) and Section One Hundred Ninety-nine (199) of the Code and to enact a substitute therefor dealing with the rendition and filing of opinions by the Supreme Court and the Judges thereof.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. That the law as it appears in Section One Hundred Ninety-eight (198) and Section One Hundred Ninety-nine (199) of the Code be and the same is hereby repealed and the following enacted in lieu thereof:

Sec. 2. The decisions of the Supreme court on all questions passed upon by it, including motions and points of practice, shall be specifically stated, and shall be accompanied with an opinion upon all such as are deemed of sufficient importance. All decisions and opinions shall be in writing and filed with the clerk, except that rulings upon motions may be entered upon the announcement book.

At the option of the court an affirming decision may be made without the filing of an opinion. But there shall be no reversal or substantial modification without filing of opinion.

Sec. 3. Any Judge of the Supreme Court may dissent from any decision of the court on any question passed upon by it, including motions and points of practice, and the overruling by the court of a petition for rehearing. Such dissent may be filed with or without an opinion by the dissenter, and may be filed as to any question passed upon by the court, including motions and points of practice and the overruling of a petition for rehearing, whether or not the court in making such decision or in overruling a petition for rehearing files or does not file an opinion. The records and reports must in all cases show whether a decision was made by a full bench,

and whether either, and if so, which of the judges dissented from the decision.

Sec. 4. This act being deemed of immediate importance shall take effect and be in force from and after its publication in the Des Moines Capital and the Iowa Forum, both published in the city of Des Moines, Iowa.

Read first and second time and passed on file.

By sifting committee, Senate File No. 543, a bill for an act relating to the employment and licensing of Chauffeurs of Motor Trucks used in Mercantile and Agricultural Enterprises.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. The word or term "chauffeur" as defined by the laws of this state shall not apply to employees engaged in operating motor trucks for persons, firms or corporations engaged in mercantile and agricultural enterprises.

Sec. 2. This act shall repeal that part of any act in conflict herewith.

Read first and second times.

On motion of Senator Whitmore, the rule was suspended whereby no bill may be read the second and third time on the same day.

The bill was read for information.

Senator Proudfoot moved that the rules be suspended, the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Anderson	Haskell	Ratcliff
Arney	Holdoegel	Rule
Broxam	Horchem	Schaffter
Byington	Kimball	Scott
Cessna	Kingland	Smith
Coburn	LeCompte	Stephenson
Edwards	Meredith	Stoddard
Evans	Mitchell	Taylor
Fellows	Nelson	Van Alstize
Foskett	Parker	White
Fralley	Price	Whitmore
Greenell	Proudfoot	Wilson
Hale	Rainbow	

Nays, none.

.... Absent or not voting, 12.

Adams	Buser	Pitt
Balkema	Foster	Reed
Ball	Kimberly	Shane
Brookhart	Newberry	Thompson

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 Stephenson, House File No. 566, a bill for an act to authorize the voting and levying of a tax upon real estate contiguous to a railroad which has been heretofore constructed and the operation of which has been abandoned to aid in the reconstruction, improvement, repair or maintenance of such railroad, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Stephenson 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 vote was:

Ayes, 38.

Anderson	Haskell	Rule
Arney	Holdoegel	Schaffter
Byington	Horchem	Scott
Cessna	Kimball	Shane
Coburn	Kimberly	Smith
Edwards	Kingland	Stephenson
Evans	Meredith	Stoddard
Fellows	Mitchell	Thompson
Foskett	Newberry	Van Alstine
Foster	Parker	White
Frailey	Proudfoot	Whitmore
Greenell	Rainbow	Wilson
Hale	Katcliff	

Nays, none.

Absent or not voting, 12.

Adams	Broxam	Pitt
Balkema	Buser	Price
Ball	LeCompte	Reed
Brookhart	Nelson	Taylor

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

Senator Stephenson moved that the vote by which House File No. 566 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Taylor, House File No. 568, a bill for an act legalizing a grant of the Board of Supervisors of Buchanan County, Iowa, pursuant to resolution of said Board of January 10, 1916, granting to the Fayette County Utilities Company, a corporation, its successors and assigns, the right to construct, operate and maintain a transmission line for the purpose of conducting electricity for light, heat and power purposes over and along that part of a certain public highway commonly known as the Oelwein-Independence Highway, from the north line of Buchanan County to the north corporate line of the town of Hazelton, lying wholly within the said county of Buchanan, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Taylor moved that the rules be suspended, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Anderson	Fellows	Horchem
Arney	Foskett	Kimberly
Ball	Foster	Kingland
Broxam	Fralley	Meredith
Byington	Greenell	Mitchell
Coburn	Hale	Nelson
Edwards	Haskell	Parker
Evans	Holdoegel	Price

Proudfoot	Scott	Thompson
Rainbow	Shane	Van Alstine
Ratcliff	Stoddard	Whitmore
Rule	Taylor	Wilson
Schaffter		

Nays, none.

Absent or not voting, 13.

Adams	Kimball	Reed
Belkama	LeCompte	Smith
Brookhart	Newberry	Stephenson
Buser	Pitt	White
Cessna		

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, House File No. 569, a bill for an act to legalize an ordinance of the incorporated town of Hazelton, Iowa, granting a franchise to the Fayette County Utilities Company its successors and assigns, to maintain and operate an electric light heat and power plant in said town, with the report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Taylor moved that the rules be suspended, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 38.

Anderson	Holdoegel	Schaffter
Arney	Horchem	Scott
Ball	Kimberly	Shane
Byington	Kingland	Smith
Coburn	Meredith	Stephenson
Edwards	Mitchell	Stoddard
Fellows	Nelson	Taylor
Foskett	Parker	Thompson
Foster	Price	Van Alstine
Fralley	Proudfoot	White
Greenell	Rainbow	Whitmore
Hale	Ratcliff	Wilson
Haskell	Rule	

Nays, none.

Absent or not voting, 12.

Adams	Buser	LeCompte
Balkema	Cessna	Newberry
Brookhart	Evans	Pitt
Broxam	Kimberly	Reed

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 vote by which House File No. 569 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### ADJOURNMENT RESOLUTION CONCURRED IN.

Senator Whitmore called up House concurrent resolution relative to adjournment.

Senator Brookhart offered the following amendment:

I move to amend House concurrent resolution relative to adjournment as follows:

By striking therefrom the words Thursday, April 17th, and inserting in lieu thereof the words Friday, April 18th, at twelve o'clock noon.

Senator Whitmore offered the following as a substitute for the amendment offered by Senator Brookhart:

I move to substitute for the pending amendment the following: amend by fixing the time of adjournment to 12 o'clock noon Saturday, April nineteenth (19th), 1919.

Senator Rule offered the following amendment to the substitute proposed by Senator Whitmore.

Amend the substitute by changing the date of Saturday, April 19th, to Tuesday, April 22d.

On the question, "Shall the amendment to the substitute be adopted?" the vote was:

## Ayes, 8.

Ball  
Horchem  
Kingland

LeCompte  
Rule  
Schaffter

Van Alstine  
White

## Nays, 32.

Anderson  
Broxam  
Byington  
Cessna  
Coburn  
Evans  
Fellows  
Foskett  
Foster  
Fralley  
Greenell

Hale  
Haskell  
Holdoegel  
Kimberly  
Meredith  
Mitchell  
Nelson  
Newberry  
Parker  
Price  
Proudfoot

Rainbow  
Ratcliff  
Scott  
Shane  
Smith  
Stephenson  
Stoddard  
Taylor  
Whitmore  
Wilson

## Absent or not voting, 10.

Adams  
Arney  
Balkema  
Brookhart

Buser  
Edwards  
Kimball

Pitt  
Reed  
Thompson

The amendment to the substitute was lost.

On the question, "Shall the substitute amendment offered by Senator Whitmore be adopted?" the vote was:

## Ayes, 40.

Anderson  
Arney  
Ball  
Broxam  
Byington  
Cessna  
Coburn  
Edwards  
Evans  
Fellows  
Foskett  
Foster  
Fralley  
Greenell

Hale  
Haskell  
Holdoegel  
Horchem  
Kimball  
Kimberly  
Kingland  
LeCompte  
Meredith  
Mitchell  
Nelson  
Newberry  
Proudfoot

Rainbow  
Ratcliff  
Schaffter  
Scott  
Shane  
Smith  
Stephenson  
Stoddard  
Taylor  
Van Alstine  
White  
Whitmore  
Wilson

## Nays, 2.

Price

Rule

## Absent or not voting, 8.

Adams  
Balkema  
Brookhart

Buser  
Parker  
Pitt

Reed  
Thompson

The substitute amendment was adopted and the resolution as amended was concurred in.



## RESOLUTION OF THANKS.

Senator Wilson offered the following resolution:

*Be It Resolved by the Senate of the Thirty-eighth General Assembly of the State of Iowa:*

That the thanks of this body be extended to the doorkeepers and sergeants-at-arms of this body who have so faithfully performed their duties in their various situations.

*Be It Further Resolved:*

That as these veterans pass down the stream of time and one by one are called to the camping ground of the great hereafter, it is the wish of the Senate that the smiles of Providence may rest upon them.

By unanimous consent, the resolution was taken up, considered and adopted.

## HOUSE JOINT RESOLUTION NO. 4 RECONSIDERED.

Senator Foskett called up the motion to reconsider the vote by which House Joint Resolution No. 4 passed the Senate and also the vote by which it passed to its third reading.

The motion to reconsider prevailed.

Senator Foskett offered the following amendments and moved their adoption:

Amend House Joint Resolution No. 4 as follows: By inserting after the comma in line 4 of paragraph 2 of the preamble the following words: "And for the completion of the dormitory for men"; and by inserting after the comma which follows the word, "therewith", in line 5 of paragraph 3 of the preamble the following words: "And for the completion of the dormitory for men"; and inserting after the comma which follows \$22,000. in line 5 of Section 1, the following words: "And for the completion of the dormitory for men, at a cost not to exceed \$125,000.00".

Also:

Amend House Joint Resolution No. 4 by inserting after the comma following the word "foundry" in Line five (5) of Paragraph Two (2) of the preamble, the words, "a dormitory for women," and by inserting after the word "foundry" in Line six (6) of Paragraph Three (3) of the preamble a comma (,) and the words "a dormitory for women," and by inserting after the semi-colon (;) in Line Three (3) of Section Two (2) the words "a dormitory for women to cost not to exceed Ninety Thousand Dollars (\$90,000.00)".

The amendments were adopted.

Senator Foskett moved that the rules be suspended, and the

joint resolution be considered engrossed, and read a third time now, which motion prevailed and the joint resolution was read a third time.

On the question, "Shall the joint resolution be adopted?" the vote was:

Ayes, 39.

Anderson	Haskell	Proudfoot
Arney	Holdoegel	Rainbow
Ball	Horchem	Ratcliff
Broxam	Kimball	Rule
Byington	Kimberly	Schaffter
Edwards	Kingland	Shane
Evans	LeCompte	Smith
Fellows	Meredith	Stephenson
Foskett	Mitchell	Stoddard
Foster	Nelson	Taylor
Frailey	Newberry	Thompson
Greenell	Parker	Whitmore
Hale	Price	Wilson

Nays, none.

Absent or not voting, 11.

Adams	Cessna	Scott
Balkema	Coburm	Van Alstine
Brookhart	Pitt	White
Buser	Reed	

So the joint resolution, having received a constitutional majority, was declared to have been adopted by the Senate and its title was agreed to.

Senator Foskett moved that the vote by which House Joint Resolution No. 4 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House insists upon its amendments to Senate File No. 203.,

House committee:  
 Finley.  
 Dean.  
 Miller of Lucas.  
 Anderson.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 250, a bill for an act relative to licensing food producing establishments.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 73, a bill for an act authorizing the erection of a Judiciary and Library building for the housing of the library and judicial and other departments of the state and providing for a Joint Committee to provide plans and contracts, fixing the approximate cost, providing for the erection of the same under section fourteen hundred-t two (1400-t 2) of the supplement to the code, 1913, and providing for payment of cost of same from funds provided by section fourteen hundred-t (1400-t) of the supplement to the code, 1913, and chapter 207 of the laws of the Thirty-seventh General Assembly and providing for compensation of Committee.

#### HOUSE AMENDMENTS.

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. There shall be erected on the capitol grounds a fire-proof building to be known as "The Temple of Justice"; that said building shall contain suitable rooms for the housing of the law library, the state general library, the supreme court of Iowa, the clerk of the supreme court, the reporter of the supreme court, the attorney general, the railroad commission, the commerce counsel and the board of parole.

SEC. 2. A joint committee is hereby provided consisting of two members selected from the Senate, to be named by the president of the Senate and two members of the House of Representatives, to be named by the speaker of the House, the present chief justice of the supreme court and the executive council, and the chief justice shall be chairman thereof. This committee shall obtain plans and specifications for such building, approve and adopt the same, let contracts for the erection of said building, and superintend the erection thereof.

SEC. 3. The said building committee shall, upon the approval of said plans, proceed to let contracts for the construction of the said building upon competitive bids under such regulations as the committee may adopt, and cause the said building to be erected under the plans and contracts at an approximate cost of seven hundred fifty thousand dollars (\$750,000).

And the said building committee may, if necessary to provide such suitable building, increase the said cost of the same, but not beyond the amount provided by the funds hereinafter referred to, and in no case to exceed the sum of one million dollars (\$1,000,000).

SEC. 4. The members from the respective houses of the general assembly shall continue to serve upon said committee until the completion of their duties in connection with said building, and any vacancy among the members so appointed from the general assembly shall be filled in the same manner as the original appointment. The present chief justice of the supreme court shall serve on said committee so long as he is a member of said court, whether as chief justice or otherwise, but in case his membership in said court should terminate, then the supreme court shall appoint from the members of said court his successor on said committee.

The members of said committee shall serve without compensation, but the members thereof appointed from the general assembly shall be entitled to receive their actual expenses incurred in attendance upon the meetings of said committee and in the performance of their duties when the general assembly is not in session.

SEC. 5. The cost of said temple or building, the plans therefor, and all expenses incidental thereto, shall be paid for out of the proceeds provided by section fourteen hundred-t (1400-t), supplement to the code, 1913, and out of the proceeds remaining unexpended July 1, 1919, of the fund provided by chapter two hundred seven (207) of the laws of the thirty-seventh general assembly, including all reimbursements made to such fund by the federal government, if any.

SEC. 6. Said building shall be the first authorized and constructed under the provisions of fourteen hundred-t two (1400-t2), supplement to the code, 1913.

SEC. 7. Section fourteen hundred-t (1400-t), supplement to the code, 1913, is hereby amended by inserting after the word "same" in the third (3) line, the words "and for a building within which to house the state law library, the state general library, the supreme court of Iowa, the clerk of the supreme court, the reporter of the supreme court, the attorney general, the railroad commission, the commerce counsel and the board of parole."

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 281, a bill for an act defining the crime of criminal syndicalism and prescribing punishment therefor.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 294, a bill for an act to amend section two thousand six hundred four (2604), Supplemental Supplement to the Code, 1915, relating to salary of Commandant of the Soldiers' Home.

#### HOUSE AMENDMENT.

Amend by striking out all of section 1, after the word "of" in line 3, and inserting in lieu thereof the following: "lines four and five, the words "two thousand" and inserting in lieu thereof the words "twenty-five hundred."

W. C. RAMSAY, *Chief Clerk.*

Also:

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:

By Committee on Appropriations.

*Be It Resolved by the House of Representatives, the Senate concurring:*

That whereas, T. E. Mann filed a contest against F. W. Ingersoll, claiming that the said Mann was duly elected as a member of the House of Representatives in the 38th General Assembly, and,

Whereas, a committee was duly appointed and said contest tried and a report made in favor of the incumbent F. W. Ingersoll, and,

Whereas, the parties to said contest have each paid the sum of two hundred dollars as attorneys fees in said contest, and,

Whereas, the said contest was made in good faith, the said Ingersoll being declared elected by only one vote, and

Wherefore no more than one hundred dollars has been heretofore allowed as an attorney fee for appearing in any such contest,

Therefore, be it resolved that the said F. W. Ingersoll, incumbent, and T. E. Mann, contestant, be each allowed the sum of one hundred dollars as attorneys fees in said contest, and that the same be included in the omnibus appropriation bill.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 repeal Sections Twenty-five hundred thirty-eight-w3 (2538-w3) Supplemental Supplement to the Code, 1915, Twenty-five hundred thirty-eight-w4 (2538-w4) Supplement to the Code, 1913, Twenty-five hundred thirty-eight-w5 (2538-w5) of the Supplemental Supplement to the Code, 1915, and Sections Twenty-five hundred thirty-eight-w6 (2538-w6), Twenty-five hundred thirty-eight-w7 (2538-w7) of the Supplement to the Code, 1913, and Sections Twenty-five hundred and thirty-eight-w8 (2538-w8) and Twenty-five hundred thirty-eight-w12 (2538-w12) of the Supplemental Supplement to the Code, 1915, and Sections Twenty-five hundred thirty-eight-w9 (2538-w9) Twenty-five hundred thirty-eight-w10 (2538-w10) and Twenty-five hundred thirty-eight-w11 (2538-w11) of the Supplement to the Code, 1913, and to enact substitutes therefor regulating and licensing the manufacture, sale and use of Anti-hog-cholera serum and Hog-cholera virus and providing penalties for violation of the provisions of this act.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 94, a bill for an act relating to the public health, making and providing penalties for the violation of the provisions thereof, and repealing all acts in conflict therewith.

#### HOUSE AMENDMENTS.

Amend Senate File No. 94 as follows:

1. By changing the word "are", in line four (4), section eight (8), to "or", and by inserting the words "any of", between the words "whenever" and "said", in line five (5), section eight (8).
2. By substituting a comma (,) for the period (.), after the word "health", at the end of section eight (8), and adding the following: "except, in cases of persons known to the local board of health to be of good character and reputation, who are under treatment by a qualified and reputable physician, and are taking recognized precautionary measures to prevent the infection of others, these powers shall not be exercised."
3. By inserting the word "county", followed by a comma (,), between the words "the" and "municipality", in line two (2), section nine (9).
4. By inserting in section 9 (a), after the comma (,) following the word "chancroid" in line seven (7), the following: "except as provided in section eight (8)."
5. By adding, after section 9 (a), the following: "(a-1) Any person subject to examination under this act may demand that another physician shall also make an examination, and when this is done, the president of

the local board of health shall name such physician, and, in case of disagreement, the health officer and this physician shall agree upon a third physician to make an examination, and the decision of two shall determine the action to be taken as to isolation, internment, quarantine, or release."

"(a-2) The compensation of physicians, other than health officers, for making examinations under this act, shall be five dollars (\$5), to be paid in accordance with the usual procedure for the payment of quarantine bills."

6. By striking from section nine (b), after the comma (,) following the word "chancroid" in line nineteen (19), the words "and his"; and following them, in line twenty (20), the words "or her immediate attendant."

7. By adding, after section 9 (b), the following:

"(b-1) In case the person isolated, interned or quarantined is unable to meet the expenses incident thereto, such expenses, including medical and surgical service, nursing and care, shall be provided as in cases of quarantine for other diseases, and the president of the local board of health shall name a physician to render the necessary medical and surgical services, unless the board of supervisors have previously made provisions for the same."

8. By inserting in section ten (10), between the comma (,) following the word "non-infectious" and the word "or" in line four (4), the following: "—the same to be determined as provided for examinations in section 9 (a-1), if the isolated, interned or quarantined person shall so elect,—".

9. By adding to section thirteen (13) the following:

"(a) The board of supervisors shall appoint and fix the compensation of a qualified physician and surgeon and such nurses and other attendants as may be necessary to provide proper treatment and care for persons interned, from time to time, in such detention hospital."

10. By substituting a comma (,) for the period (.) after the word "obtain", at end of section seventeen (17), and adding thereafter: "except, that in securing the approval of the health officer, the same procedure, provided for examinations in section 9 (a-1), may be taken.

11. By inserting in section nineteen (19), between the word "compound" and "specific", in line two (2), the word "alleged", and between the word "the" and "city", in line six (6), the word "county", followed by a comma (,).

12. By inserting, in section twenty-one (21), between the word "chancroid" and "who", in line eight (8), the following: ", except as provided in section eight (8)".

W. C. RAMSAY, *Chief Clerk.*

## RESOLUTION.

Senator Stoddard offered the following resolution:

*Whereas*, the Senate of the Thirty-eighth General Assembly has been exceptionally fortunate in having the services of an efficient desk force, therefore

*Be It Resolved*, that we hereby testify to our appreciation of these splendid services, so cheerfully and efficiently rendered, and

*Be It Further Resolved*, that these resolutions be spread upon our records.

By unanimous consent, the resolution was taken up, considered and adopted.

## REPORT OF COMMITTEE.

Senator Foskett, from the committee on appropriations, submitted the following report:

MR. PRESIDENT—Your committee on appropriations, to whom was referred House File No. 560, a bill for an act to provide for the improving of public highways extending through or adjacent to lands belonging to state institutions, including draining, grading, oiling or paving, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

## HOUSE FILE NO. 325 RECONSIDERED.

Senator Evans moved that the vote by which House File No. 325 failed to pass the Senate be reconsidered.

The motion prevailed.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 40.

Adams	Foskett	Meredith
Anderson	Foster	Mitchell
Arney	Fralley	Nelson
Broxam	Greenell	Newberry
Byington	Haskell	Parker
Cessna	Horchem	Price
Coburn	Kimball	Proudfoot
Edwards	Kimberly	Rainbow
Evans	Kingland	Ratcliff
Fellows	LeCompte	Reed



Rule	Smith	Thompson
Schaffter	Stoddard	Van Alstine
Scott	Taylor	White
Shane		

Nays, 5.

Ball	Stephenson	Wilson
Hale	Whitmore	

Absent or not voting, 5.

Balkema	Buser	Witt
Brookhart	Holdoegel	

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

#### RESOLUTION.

Senator Stoddard offered the following resolution:

MR. PRESIDENT—Be it resolved, that the thanks of the Senate of the Thirty-eighth General Assembly be extended to the committee clerks who have shown themselves ready at all times to perform their duties in an efficient manner.

That they be especially commended for their courteous treatment of the members of this body and their ever ready willingness to perform such duties as were assigned to them by the president of the Senate, the secretary of the Senate or the Senators, and

That we especially commend the degree of efficiency which has been exhibited by the clerks of the Senate of this General Assembly.

By unanimous consent, the resolution was taken up, considered and adopted.

#### HOUSE RESOLUTION CONCURRED IN.

Senator Edwards called up the following House concurrent resolution and moved that the Senate concur:

*Be It Resolved by the House of Representatives, the Senate concurring,* that the Committee on Retrenchment and Reform be and is hereby authorized and instructed to make an investigation of the plan of maintenance and operation of a state printing plant for the production of all printing for state purposes, and to report to the next general assembly their findings and such information and recommendations as will show the advisability of erection of a state printing plant for Iowa.

The resolution was concurred in.

## SENATE JOINT RESOLUTION NO. 9 RECONSIDERED.

Senator Van Alstine called up the motion filed to reconsider the vote by which Senate Joint Resolution No. 9 failed to pass the Senate.

The motion to reconsider prevailed.

Senator Van Alstine moved that the rules be suspended, and the joint resolution be considered engrossed, and read a third time now, which motion prevailed, and the joint resolution was read a third time.

Senator Van Alstine invoked rule 8.

On the question, "Shall the joint resolution be adopted?" the vote was:

Ayes, 24.

Adams	Greenell	Rainbow
Anderson	Lucrhem	Ratcliff
Arney	Kimball	Schaffter
Broxam	Kimberly	Scott
Byington	Mitchell	Smith
Evans	Newberry	Stoddard
Fellows	Price	Thompson
Frailey	Proudfoot	Van Alstine

Nays, 20.

Ball	Haskell	Shane
Cessna	England	Stephenson
Coburn	LeCompte	Taylor
Edwards	Meredith	White
Foskett	Nelson	Whitmore
Foster	Parker	Wilson
Hale	Rule	

Absent or not voting, 6.

Balkema	Buser	Pitt
Brookhart	Holdoegel	Reed

So the joint resolution, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

## LIEUT. HARVEY J. M'GUIRE.

President Moore announced the presence in the Senate of Lieutenant Harvey J. McGuire, of Des Moines, who wore the distinguished service cross won in France.

Senator Whitmore moved that the president appoint a committee of two to escort Lieutenant McGuire to the president's desk.

The president appointed as such committee Senators Whitmore and White.

Lieutenant McGuire briefly addressed the Senate on his war experiences.

#### CONFERENCE COMMITTEE ON SENATE FILE NO. 203.

The president appointed as conference committee on Senate File No. 203, on the part of the Senate, Senators Meredith, White, Buser and Ratcliff.

#### EXPLANATION OF VOTE.

I desire to explain my vote on the conference committee report of the Motor Vehicle Tax bill.

The conference committee bill for the registration and taxation of motor vehicles is distinctly a worse measure than the combined Judiciary bill of the Senate and should be referred back for change and correction. The following matters are wrong in the bill and should be corrected:

In section 5 the old and impractical system of entering applications each year in a book or index is provided, requiring an immense amount of clerical help when it should be done by carbon copy duplicates of the license receipt or card.

In section 7 the number plates are required to be delivered in numerical sequence to the county treasurer of each county. There can be no consecutive numbering for the state for the various counties and no daily determination of what licenses remain unpaid. This will necessitate two or three hundred additional clerks over the state making it necessary to continually run through long lists of numbers to determine what licensed cars have not re-licensed and requiring several months work before it can be ascertained what numbers are delinquent in re-registration.

In section 8, the state goes back to the old obsolete, and absolutely unnecessary yearly number plate system. A colored card, all of the expense of which is retained, will do all that yearly number plates can do and save the state many thousands of dollars. \$75000 each year in cost of plates alone.

The bill wholly fails to define a motor truck and then charges trucks a great deal more than omnibuses, heavy pleasure cars and automobiles which wear the road fully as much; weight and value are the correct elements of taxation and should be equally applied to all cars.

The conference bill makes an unfair distinction between farmers' vehicles and city vehicles, the city vehicles paying only two-thirds of the same used in the country.

Some of the reform principles reported by the retrenchment and reform committee in its report are now embodied in the bill but all of the business system of collection and record of the tax as recommended, is ignored and the law will cost the people of the state \$300,000,00 unnecessary expense. A refusal to concur in this report will not defeat legislation but will result in getting a superior law, and allowing amendments that by all means should be adopted.

CLEM F. KIMBALL.

SENATE FILE NO. 136 RECONSIDERED.

Senator Ratcliff moved to reconsider the vote by which Senate File No. 136 passed the Senate and the vote by which it passed to its third reading.

The motion prevailed.

Senator Ratcliff offered the following amendment and moved its adoption:

Amend by striking out all after the enacting clause and substituting in lieu thereof the following:

SEC. 1. That Section Five Thousand Two Hundred Fifty Six (5256) Supplement to the Code, 1913, be and the same is hereby amended by striking out the word "two" in line fourteen thereof and by inserting in lieu thereof the word "four."

The amendment was adopted.

Senator Ratcliff 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 vote was:

Ayes, 33.

Adams  
Ball  
Buser  
Byington  
Cessna  
Coburn  
Edwards  
Evans  
Frailey  
Greenell  
Hale

Haskell  
Holdoegel  
Horchem  
Kimball  
Kimberly  
Kingland  
Meredith  
Mitchell  
Nelson  
Parker  
Price

Rainbow  
Ratcliff  
Reed  
Rule  
Schaffter  
Scott  
Shane  
Stoddard  
Thompson  
Van Alstine  
Wilson

Nays, none.

Absent or not voting, 17.

Anderson	Foster	Smith
Arney	LeCompte	Stephenson
Balkema	Newberry	Taylor
Broxam	Pitt	White
Fellows	Proudfoot	Whitmore
Foskett		

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

MOTION TO RECONSIDER TABLED.

Senator Edwards moved that the motion to reconsider Senate File No. 366 be laid on the table.

The motion prevailed.

AMENDMENT FILED.

Senator Foskett filed the following amendment:

I move to amend Senate File 541 by striking out of line 1 of the paragraph headed "For the office of Auditor of State" the figures "3600" and inserting in lieu thereof the figures "4000".

By striking out the entire paragraph headed "For the office of Banking Department".

By adding to the last line of the paragraph headed "For the office of Board of Control" the words "and the necessary expenses of said state agents".

By striking out of line 1 of the paragraph headed "For Dairy and Food Department" the figures "3000" and inserting in lieu thereof the figures "3300". By striking out of line 2 of said paragraph the figures "2100" and inserting in lieu thereof the figures "2600". By striking out of line 5 of said paragraph the figures "2100" and inserting in lieu thereof the figures "2400". By striking out of line 6 of said paragraph the words "chief food inspector" and inserting in lieu thereof the words "assistant chemist and bacteriologist" and by striking out the figures "2100" and inserting in lieu thereof the figures "2400". By striking out of line 8 of said paragraph the figures "1400" and inserting in lieu thereof the figures "1500". By striking out of line 13 of said paragraph the figures "1600" and inserting in lieu thereof the figures "1800". By striking out of line 17 of said paragraph the figures "\$1600.00" and inserting in lieu thereof the figures "\$1800.00".

By striking out of line 2 of the paragraph headed "For the office of Executive Council" the figures "2100" and inserting in lieu thereof the

figures "2400". By striking out the word "janitor" in line 7 of said paragraph and inserting in lieu thereof the word "clerk" and by striking out the figures "1080" and inserting in lieu thereof the figures "1200". By striking out of line 8 of said paragraph the word "four" and inserting in lieu thereof the word "three" and by inserting after line 8 the words and figures "One voucher clerk, salary not to exceed 1400.00".

By striking out of line 4 of the paragraph headed "For the office of Governor of State" the figures "1800" and inserting in lieu thereof the figures "2400" and by striking out of line 5 the figures "1400" and inserting in lieu thereof the figures "1600" and by striking out of Line 8 of said paragraph the figures "1080" and inserting in lieu thereof the figures "1200".

By striking out of Line 2 of the paragraph headed "Office of Insurance Commissioner" the figures "2100" and inserting in lieu thereof the figures "2400". By striking out of Line 9 of said paragraph the figures "2400" and inserting in lieu thereof the figures "2600".

By striking out of Line 1 of the paragraph headed "For office of Mine Inspector" the figures "2100" and inserting in lieu thereof the figures "2400". By striking out all of Line 3 of the paragraph headed "For office of Oil Inspector" and by striking out the word "twelve" in Line 4 of said paragraph and inserting in lieu thereof the word "thirteen".

By striking out of Line 1 of the paragraph headed "For Secretary of State" the figures "3600" and inserting in lieu thereof the figures "4000".

By striking out of Line 6 of the paragraph headed "For State Board of Education" the figures "2800" and inserting in lieu thereof the figures "2400".

By striking out of Line 4 of the paragraph headed "Office of Superintendent of Public Instruction", the figures "1800" and inserting in lieu thereof the figures "1600". By striking out of Line 5 of the same paragraph the figures "2100" and inserting in lieu thereof the figures "2400".

By striking out of Line 1 of paragraph headed "Board of Educational Examiners" the figures "1600" and inserting in lieu thereof the figures "1800". By striking out of Line 3 of said paragraph the figures "\$10.00" and inserting in lieu thereof the figures "\$4.00".

By striking out all of the paragraph headed "Vocational Education".

By striking out of Line 1 of the paragraph headed "Office of Treasurer of State" the figures "3600" and inserting in lieu thereof the figures "4000".

By striking out of Line 1 of the paragraph headed "Office of Industrial Commissioner" the figures "3600" and inserting in lieu thereof the figures "3300".

By inserting after Line 4 of the paragraph headed "State Board of Health" the words and figures "One chief clerk, salary not to exceed 1500.00".

By striking out of Line 1 of paragraph headed "Office of State Fire Marshal" the figures "2700" and inserting in lieu thereof the figures "2500".

By striking out of Line 4 of the paragraph headed "State General Library" the figures "1300" and inserting in lieu thereof the figures "1400". By striking out all of Line 5 of said paragraph and inserting in lieu thereof the words and figures "One accountant and bookkeeper, salary not to exceed 1400.00".

By adding to the paragraph headed "Library Commission" the words and figures "One apprentice, salary not to exceed 600.00".

By striking out all of Line 2 of the paragraph headed "Supreme Court Reporter" and inserting in lieu thereof the words and figures "Deputy reporter, salary not to exceed 2000.00".

By adding to the last paragraph of said bill and as a part thereof the following: "The provisions of this paragraph shall be so construed as not to repeal or affect the law as it appears in Section 1683-r2, Supplement to the Code, 1913".

On motion of Senator Rule, Senate adjourned until 9:00 a. m. Friday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 18, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. John T. Noonan, of Des Moines.

## 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 amendment to House concurrent resolution relative to adjournment.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 420, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 to fix and limit the time for commencing certain actions to recover real estate, or an interest therein, or to establish, construe, foreclose, enforce or reform any lien, incumbrance, mortgage, contract, will, conveyance or other instrument, charge or claim, relating to real estate, or to in any manner affect the title to real estate, in certain cases, and to fix and limit the time for commencing any such actions based on certain defects in the record title to real estate, against the bona fide holder of the record title to such real estate lawfully in actual or constructive possession thereof, and to fix and define the time when the causes of action accrue in such cases.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 271, a bill for an act to amend the law as it appears in section ten hundred fifty-six-a eleven (1056-a 11) and section ten hundred fifty six-a twelve (1056-a12) supplement to the code, 1913, relating to municipal accounting.

#### HOUSE AMENDMENT.

Amend by striking out the word "seven", being the last word in section one, and inserting in lieu thereof the word "six."

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 462, a bill for an act amending section two hundred fifty four-a-twenty nine (254-a29) supplement to the code, 1913, relating to probation officers and detention homes.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 285, a bill for an act to amend Section One Thousand Three Hundred Three (1303), Supplemental Supplement to the Code, 1915, relating to the levy of taxes for bridge purposes.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 77, a bill for an act to amend Section 2734-b of the Supplemental Supplement to the Code, 1915, relating to the expenses of the County Superintendent of schools for visiting schools.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relating to minimum salaries for teachers.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

Senate File No. 121, a bill for an act relating to non-user of franchise by corporations.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 relating to insurance other than life.

W. C. RAMSAY, *Chief Clerk.*

#### CORRECTION OF JOURNAL.

The journal of April 16th was corrected and approved.

#### HOUSE AMENDMENTS CONCURRED IN.

Senator Rule called up Senate File No. 94, amended by the House, and moved that the Senate concur in the following House amendments:

Amend Senate File No. 94 as follows:

1. By changing the word "are", in line four (4), section eight (8), to "or", and by inserting the words "any of", between the words "when-ever" and "said", in line five (5), section eight (8).

2. By substituting a comma (,) for the period (.), after the word "health", at the end of section eight (8), and adding the following: "except, in cases of persons known to the local board of health to be of good character and reputation, who are under treatment by a qualified and reputable physician, and are taking recognized precautionary measures to prevent the infection of others, these powers shall not be exercised."

3. By inserting the word "county", followed by a comma (,), between the words "the" and "municipality", in line two (2), section nine (9).

4. By inserting in section 9 (a), after the comma (,) following the word "chancroid" in line seven (7), the following: "except as provided in section eight (8)."

5. By adding, after section 9 (a), the following: "(a-1) Any person subject to examination under this act may demand that another physician shall also make an examination, and when this is done, the president of the local board of health shall name such physician, and, in case

of disagreement, the health officer and this physician shall agree upon a third physician to make an examination, and the decision of two shall determine the action to be taken as to isolation, internment, quarantine, or release."

"(a-2) The compensation of physicians, other than health officers, for making examinations under this act, shall be five dollars (\$5), to be paid in accordance with the usual procedure for the payment of quarantine bills."

6. By striking from section nine (b), after the comma (,) following the word "chancroid" in line nineteen (19), the words "and his", and following them, in line twenty (20), the words "or her immediate attendant."

7. By adding, after section 9 (b), the following:

"(b-1) In case the person isolated, interned or quarantined is unable to meet the expenses incident thereto, such expenses, including medical and surgical service, nursing and care, shall be provided as in cases of quarantine for other diseases, and the president of the local board of health shall name a physician to render the necessary medical and surgical services, unless the board of supervisors have previously made provisions for the same."

8. By inserting in section ten (10), between the comma (,) following the word "non-infectious" and the word "or" in line four (4), the following: "--the same to be determined as provided for examinations in section 9 (a-1), if the isolated, interned or quarantined person shall so elect,—".

9. By adding to section thirteen (13) the following:

"(a) The board of supervisors shall appoint and fix the compensation of a qualified physician and surgeon and such nurses and other attendants as may be necessary to provide proper treatment and care for persons interned, from time to time, in such detention hospital."

10. By substituting a comma (,) for the period (.) after the word "obtain," at the end of section seventeen (17), and adding thereafter: "except, that in securing the approval of the health officer, the same procedure, provided for examinations in section 9 (a-1), may be taken."

11. By inserting in section nineteen (19), between the word "compound" and "specific", in line two (2), the word "alleged", and between the word "the" and "city", in line six (6) the word "county", followed by a comma (,).

12. By inserting, in section twenty-one (21), between the word "chancroid" and "who", in line eight (8), the following: ", except as provided in section eight (8)".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 36.

Anderson	Haskell	Reed
Ball	Horchem	Rule
Byington	Kimball	Schaffter
Cessna	LeCompte	Shane
Coburn	Mitchell	Smith
Edwards	Nelson	Stephenson
Fellows	Newberry	Stoddard
Foskett	Parker	Taylor
Foster	Price	Van Alstine
Fralley	Proudfoot	White
Greenell	Rainbow	Whitmore
Hale	Ratcliff	Wilson

Nays, none.

Absent or not voting, 14.

Adams	Gaser	Meredith
Arney	Evans	Pitt
Balkema	Holdoegel	Scott
Brookhart	Kimberly	Thompson
Broxam	Kingland	

The House amendments, having received a constitutional majority, were declared to have been concurred in by the Senate.

Senator Kimball called up Senate File No. 73, amended by the House, and moved that the Senate concur in the following House amendment:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. There shall be erected on the capitol grounds a fire-proof building to be known as "The Temple of Justice"; that said building shall contain suitable rooms for the housing of the law library, the state general library, the supreme court of Iowa, the clerk of the supreme court, the reporter of the supreme court, the attorney general, the railroad commission, the commerce counsel and the board of parole.

SEC. 2. A joint committee is hereby provided consisting of two members selected from the Senate, to be named by the president of the Senate and two members of the House of Representatives, to be named by the speaker of the House, the present chief justice of the supreme court and the executive council, and the chief justice shall be chairman thereof. This committee shall obtain plans and specifications for such building, approve and adopt the same, let contracts for the erection of said building, and superintend the erection thereof.

SEC. 3. The said building committee shall, upon the approval of said plans, proceed to let contracts for the construction of the said building upon competitive bids under such regulations as the committee may adopt, and cause the said building to be erected under the plans and con-

tracts at an approximate cost of seven hundred fifty thousand dollars (\$750,000). And the said building committee may, if necessary to provide such suitable building, increase the said cost of the same, but not beyond the amount provided by the funds hereinafter referred to, and in no case to exceed the sum of one million dollars (\$1,000,000).

SEC. 4. The members from the respective houses of the general assembly shall continue to serve upon said committee until the completion of their duties in connection with said building, and any vacancy among the members so appointed from the general assembly shall be filled in the same manner as the original appointment. The present chief justice of the supreme court shall serve on said committee so long as he is a member of said court, whether as chief justice or otherwise, but in case his membership in said court should terminate, then the supreme court shall appoint from the members of said court his successor on said committee.

The members of said committee shall serve without compensation, but the members thereof appointed from the general assembly shall be entitled to receive their actual expenses incurred in attendance upon the meetings of said committee and in the performance of their duties when the general assembly is not in session.

SEC. 5. The cost of said temple or building, the plans therefor, and all expenses incidental thereto, shall be paid for out of the proceeds provided by section fourteen hundred-t (1400-t), supplement to the code, 1913, and out of the proceeds remaining unexpended July 1, 1919, of the fund provided by chapter two hundred seven (207) of the laws of the thirty-seventh general assembly, including all reimbursements made to such fund by the federal government, if any.

SEC. 6. Said building shall be the first authorized and constructed under the provisions of fourteen hundred-t two (1400-t2), supplement to the code, 1913.

SEC. 7. Section fourteen hundred-t (1400-t), supplement to the code, 1913, is hereby amended by inserting after the word "same" in the third (3) line, the words "and for a building within which to house the state law library, the state general library, the supreme court of Iowa, the clerk of the supreme court, the reporter of the supreme court, the attorney general, the railroad commission, the commerce counsel and the board of parole."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 34.

Anderson  
Arney  
Balkema  
Lyington  
Coburn  
Edwards

Evans  
Fellows  
Foskett  
Fralley  
Greenell  
Holdoegel

Horchem  
Kimball  
Kimberly  
Meredith  
Mitchell  
Nelson

Newberry	Shane	Thompson
Parker	Smith	Van Alstine
Proudfoot	Stephenson	White
Rainbow	Stoddard	Whitmore
Ratcliff	Taylor	Wilson
Rule		

Nays, 3.

Ball	Foster	LeCompte
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Absent or not voting, 13.

Adams	Hale	Price
Brookhart	Haskell	Reed
Broxam	Kingland	Schaffter
Buser	Pitt	Scott
Cessna		

The House amendment, having received a constitutional majority, was declared to have been concurred in by the Senate.

Senator Arney called up Senate File No. 294 amended by the House, and moved that the Senate concur in the following House amendment:

Amend by striking out all of section 1, after the word "of" in line 3, and inserting in lieu thereof the following: "lines four and five, the words "two thousand" and inserting in lieu thereof the words "twenty-five hundred."

On the question, "Shall the Senate concur?" the vote was:

Ayes, 10.

Anderson	Foskett	Stephenson
Ball	Holdoegel	Taylor
Cessna	Meredith	
Fellows	Price	

Nays, 20.

Arney	Kimball	Rule
Byington	LeCompte	Shane
Coburn	Mitchell	Thompson
Edwards	Nelson	Van Alstine
Foster	Parker	Whitmore
Frailey	Price	Wilson
Horchem	Ratcliff	

Absent or not voting, 20.

Adams	Hale	Reed
Balkema	Haskell	Schaffter
Brookhart	Kimberly	Scott
Broxam	Kingland	Smith
Buser	Newberry	Stoddard
Evans	Pitt	White
Greenell	Rainbow	

The Senate refused to concur in the House amendment.

#### INTRODUCTION OF BILLS.

By sifting committee, Senate File No. 544, a bill for an act to amend Senate File two hundred ten (210), an act of the thirty-eighth General Assembly, creating a commission of three (3) persons to edit and codify the laws of the state; defining its powers and duties; providing for the editing of a book of annotations of the code by the code editor; providing for clerical assistance and for the publication and distribution of the code, report of commission, and book of annotations and making an appropriation for the expenses of said commission and such work; relating to the renumbering of code sections and preparation of a table of corresponding sections.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. That section four (4) of senate file two hundred ten (210) be amended by striking from said section, the words "renumber the sections and" following the word "shall" in line seven (7) and preceding the word "provide" in line eight (8); and the words "a table of corresponding sections and" following the word "volume" in line eight (8) and preceding the word "an" in line nine (9) of said section.

On motion of Senator Proudfoot, the rule was suspended under which no bill may be read a second and third time the same day.

The bill was read for information.

Senator Proudfoot moved that the rules be suspended, and the bill be considered engrossed, and read a third time now, which motion prevailed, and the bill was read a third time.

On the question, "Shall the bill pass?" the vote was:

Ayes, 35.

Anderson	Hale	Proudfoot
Balkema	Haskell	Rainbow
Ball	Holdoegel	Rule
Byington	Horchem	Schaffter
Cessna	Kimball	Shane
Edwards	Kimberly	Smith
Evans	Kingland	Taylor
Fellows	Meredith	Thompson
Foskett	Nelson	Van Alstine
Foster	Newberry	Whitmore
Frailey	Parker	Wilson
Greenell	Price	

Nays, none.

Absent or not voting, 15.

Adams	Coburn	Reed
Arney	LeCompte	Stephenson
Brookhart	Mitchell	Stoddard
Broxam	Pitt	White
Buser	Ratcliff	

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

Senator Proudfoot moved that the vote by which Senate File No. 544 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### CONFERENCE COMMITTEE APPOINTED.

The president appointed as a conference committee on Senate File No. 294, on the part of the Senate, Senators Arney, Frailey, Haskell and Wilson.

#### THIRD READING OF BILLS.

On motion of Senator Foster, House File No. 560, a bill for an act to provide for the improving of public highways extending through or adjacent to lands belonging to state institutions including drainage, grading, oiling, or paving, with report of committee on appropriations recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:



## Ayes, 34.

Anderson	Hale	Rainbow
Balkema	Haskell	Rule
Bail	Horchem	Schaffter
Eyington	Kimball	Shane
Coburn	Kimberly	Stephenson
Edwards	Kingland	Stoddard
Evans	LeCompte	Taylor
Fellows	Meredith	Thompson
Foskett	Parker	White
Foster	Price	Whitmore
Frailey	Proudfoot	Wilson
Greenell		

## Nays, none.

## Absent or not voting, 16.

Adams	Holdoegel	Ratcliff
Arney	Mitchell	Reed
Brookhart	Nelson	Scott
Broxam	Newberry	Smith
Buser	Pitt	Van Alstine
Cessna		

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

Senator Foster moved that the vote by which House File No. 560 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Coburn, House File No. 529, a bill for an act to provide for surveys authorized by Congress of the United States in the State of Iowa, with report of the sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Coburn 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 vote was:

## Ayes, 40.

Anderson	Holdoegel	Reed
Balkema	Horchem	Rule
Ball	Kimball	Schaffter
Byington	Kimberly	Shane
Cessna	Kingland	Smith
Coburn	LeCompte	Stephenson
Edwards	Mitchell	Stoddard
Evans	Nelson	Taylor
Fellows	Newberry	Thompson
Foskett	Parker	Van Alstine
Fralley	Price	White
Greenell	Rainbow	Whitmore
Hale	Ratcliff	Wilson
Haskell		

Nays, none.

Absent or not voting, 10.

Adams	Buser	Pitt
Arney	Foster	Proudfoot
Brookhart	Meredith	Scott
Broxam		

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

Senator Coburn moved that the vote by which House File No. 529 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

## HOUSE RESOLUTION REFERRED.

*Be It Resolved by the House of Representatives, the Senate concurring:*

That whereas, T. E. Mann filed a contest against F. W. Ingersoll, claiming that the said Mann was duly elected as a member of the House of Representatives in the 38th General Assembly, and,

Whereas, a committee was duly appointed and said contest tried and a report made in favor of the incumbent F. W. Ingersoll, and,

Whereas, the parties to said contest have each paid the sum of two hundred dollars as attorneys fees in said contest, and,

Whereas, the said contest was made in good faith, the said Ingersoll being declared elected by only one vote, and,

Wherefore no more than one hundred dollars has been heretofore allowed as an attorney fee for appearing in any such contest,

Therefore, be it resolved that the said F. W. Ingersoll, incumbent, and T. E. Mann, contestant, be each allowed the sum of one hundred dollars as attorneys fees in said contest, and that the same be included in the omnibus appropriation bill.

Referred to committee on appropriations.

#### HOUSE AMENDMENT CONCURRED IN.

Senator Parker called up Senate File No. 271, amended by the House, and moved that the Senate concur in the following House amendment:

Amend Senate File No. 271 by striking out the word "seven", being the last word in Section one and inserting the word "six".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 36.

Anderson	Foskett	Ratcliff
Arney	Foster	Rule
Ball	Fralley	Schaffter
Balkema	Hale	Shane
Brookhart	Horchem	Smith
Broxam	Kimberly	Stoddard
Buser	Kingland	Taylor
Byington	Mitchell	Thompson
Coburn	Newberry	Van Alstine
Edwards	Parker	White
Evans	Proudfoot	Whitmore
Fellows	Rainbow	Wilson

Nays, none.

Absent or not voting, 14.

Adams	Holdoegel	Pitt
Balkema	Kimball	Reed
Cessna	LeCompte	Scott
Greenell	Meredith	Stephenson
Haskell	Nelson	

The House amendment, having received a constitutional majority, was declared to have been concurred in by the Senate.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 429, a

bill for an act to amend Paragraph four (4) of Section four thousand six hundred twenty-three (4623) of the Code, relating to the admissibility as evidence of loose leaf or card or other form of entry used in the ordinary course of business.

Also:

Senate File No. 479, a bill for an act to amend Section One Thousand Three Hundred Four (1304) Supplemental Supplement to the Code, 1915, relating to property exempt from taxation.

Also:

Senate File No. 188, a bill for an act to amend section eight-hundred ninety-four (894), Supplemental Supplement to the Code, 1915, in paragraph three (3) thereof, in relation to sewer fund levied annually by cities.

Also:

Senate File No. 186, a bill for an act to create an Iowa State Board of Engineering Examiners; to provide for the examination and registration of professional engineers and land surveyors; and to fix penalties for the violation of this act.

Also:

Senate File No. 527, a bill for an act to legalize the proceedings of the town council of the town of Oakland, Pottawattamie County, Iowa, and an election held thereunder for the purpose of authorizing the construction of a waterworks system in said town and the issuance of bonds to pay the cost of constructing the same.

Also:

Senate File No. 82, a bill for an act to make uniform the law of sales of goods, and repealing all acts or parts of acts inconsistent herewith and providing that this act may be cited as the Uniform Sales Act.

Also:

Senate File No. 499, a bill for an act to encourage horticulture and allied industries of the State of Iowa through an annual exposition and to make an appropriation therefor.

Also:

Senate File No. 529, a bill for an act to repeal section three thousand four hundred and fifteen (3415) of the code, and enacting a law in lieu thereof relating to compensation of executors, administrators and attorneys in the settlement of estates.

Also:

Senate File No. 158, a bill for an act to amend section two thousand seven hundred twenty-seven-three a (2727-3a) Supplement to the Code, 1913, providing for salaries of chief executives of certain state institutions.

Also:

Senate File No. 390, a bill for an act to repeal section fourteen hundred nineteen (1419) supplement to the Code, 1913, and enacting a substitute therefor, providing for the notice of sale of property for delinquent taxes and the publication of such notice.

Also:

Senate File No. 500, a bill for an act to repeal section two thousand five hundred seventy five (2575) of the Code, and to enact a substitute therefor relating to the annual appropriation for the State Board of Health.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 429, a bill for an act to amend Paragraph four (4) of Section four thousand six hundred twenty-three (4623) of the Code, relating to the admissibility of evidence of loose leaf or card or other form of entry used in the ordinary course of business.

Also:

Senate File No. 479, a bill for an act to amend Section One Thousand Three Hundred Four (1304) Supplemental Supplement to the Code, 1915, relating to property exempt from taxation.

Also:

Senate File No. 188, a bill for an act to amend section eight-hundred ninety-four (894), Supplemental Supplement to the Code, 1915, in paragraph three (3) thereof, in relation to sewer fund levied annually by cities.

Also:

Senate File No. 185, a bill for an act to create an Iowa State Board of Engineering Examiners; to provide for the examination and registra-

tion of professional engineers and land surveyors; and to fix penalties for the violation of this act.

Also:

Senate File No. 527, a bill for an act to legalize the proceedings of the town council of the town of Oakland, Pottawattamie County, Iowa, and an election held thereunder for the purpose of authorizing the construction of a waterworks system in said town and the issuance of bonds to pay the cost of constructing the same.

Also:

Senate File No. 82, a bill for an act to make uniform the law of sales of goods, and repealing all acts or parts of acts inconsistent herewith and providing that this act may be cited as the Uniform Sales Act.

Also:

Senate File No. 499, a bill for an act to encourage horticulture and allied industries of the State through an annual exposition and to make an appropriation therefor.

Also:

Senate File No. 529, a bill for an act to repeal section three thousand four hundred and fifteen (3415) of the code, and enacting a law in lieu thereof relating to compensation of executors, administrators and attorneys in the settlement of estates.

Also:

Senate File No. 158, a bill for an act to amend section two thousand seven hundred twenty-seven-three a (2727-3a) Supplement to the Code, 1913, providing for salaries of chief executives of certain state institutions.

Also:

Senate File No. 390, a bill for an act to repeal section fourteen hundred nineteen (1419) supplement to the Code, 1913, and enacting a substitute therefor, providing for the notice of sale of property for delinquent taxes and the publication of such notice.

Also:

Senate File No. 500, a bill for an act to repeal section two thousand five hundred seventy five (2575) of the Code, and to enact a substitute therefor relating to the annual appropriation for the State Board of Health.

EUGENE SCHAFFNER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 228, a bill for an act to repeal chapter 8-A of title V of the supplement to the code, 1913, and to enact a substitute therefor authorizing cities to protect property within their limits from danger and damage from floods and high water, by deepening, widening, straightening, altering, diverting, changing or otherwise improving water courses within their limits, by constructing levees, embankments, or conduits therefor, and to provide for the levy of special assessments and other taxes to defray the expenses of such improvements, and the issuance of bonds and certificates in anticipation of such taxes and special assessments. Additional to chapter seven (7) and eight (8) of title V of the code.

Also:

House File No. 12, a bill for an act to amend chapter two hundred ninety (290) of the laws of the thirty-seventh general assembly relating to vocational education, to appropriate funds for state aid in affording such education and to provide for the expense of administration thereof.

Also:

House File No. 419, a bill for an act to amend section ten hundred and nine (1009), code, relating to the issuance of warrants in special charter cities.

Also:

House File No. 345, a bill for an act to repeal section thirty-nine hundred thirty (3930), of the code, relating to the release of attachments, and to enact a substitute therefor.

Also:

House File No. 347, a bill for an act making an appropriation for the care and comfort of Iowa's returning soldiers and sailors.

Also:

House File No. 224, a bill for an act requiring public contractors to file a bond for the protection of the parties contracting therewith and for the benefit of those furnishing such contractor with materials used or labor performed in the carrying out of such contract; fixing the terms and conditions of such bonds; requiring the same to be filed with the clerk of the district court; providing for suit to be brought thereon, and fixing the time within which such suit may be instituted; and making the

furnishing of such bond a condition precedent to the validity of such public contracts, and providing the time within which claims shall be filed.

Also:

House File No. 335, a bill for an act to provide for the control and suppression of dangerous, contagious and infectious diseases of domestic animals, and for the inspection of live stock imported into the state of Iowa for breeding, work or dairy purposes; also to provide for the payment of indemnity in co-operation with the federal government, and making an appropriation therefor.

Also:

House File No. 431, a bill for an act to repeal section twenty-eight hundred sixteen (2816), supplement to the code, 1913, and enact a substitute in lieu thereof, relating to the reversion of school sites.

Also:

House File No. 553, a bill for an act to amend the law as it appears in section eighteen hundred twenty-two (1822), supplement to the code, 1913, relating to the matter of fraternal beneficiary societies, orders and associations, and the issuance of certificates by said associations.

Also:

House File No. 536, a bill for an act to amend the law as it appears in section four hundred nine-t3 (409-t3), supplemental supplement to the code, 1915, relating to care of persons afflicted with tuberculosis.

Also:

House File No. 547, a bill for an act to amend the law as it appears in section 4, chapter 428, acts of the 37th general assembly of Iowa, and section 5, chapter 428, acts of the 37th general assembly of Iowa, and section 2, chapter 412, acts of the 37th general assembly of Iowa, and section 1744, supplement to the code, 1913, and section 1745, supplement to the code, 1913, and section 1783-d, supplement to the code, 1913, and section 1783-e, supplement to the code, 1913, and section 1790 of the code, and section 1813 of the code; also to repeal the law as it appears in subdivision 1, section 1709, supplement to the code, 1913, as amended by section 1, chapter 428, acts of the 37th general assembly of Iowa, and to enact a substitute therefor; also to enact a law regulating the investment of the assets of insurance companies and associations, and to provide for the compensation of special insurance examiners; all relating to and providing for certain regulations for all kinds of insurance companies authorized to transact business in the state of Iowa.



Also:

House File No. 31, a bill for an act authorizing the independent school district of Bouton in Dallas County, Iowa, to issue its warrants in excess of the funds available and authorizing a tax levy to pay the same.

Also:

House File No. 484, a bill for an act to amend section two thousand seven hundred and eighty-three (2783), supplement to the code, 1913, as amended by section seven (7) of chapter three hundred eighty-six (386), acts of the thirty-seventh general assembly, relating to the use of the general fund for the purchase of school supplies.

Also:

House File No. 312, a bill for an act to repeal section four hundred twenty-four (424) of the code and to enact a substitute therefor relating to appropriations which may be made by the board of supervisors for the construction of bridges.

Also:

House File No. 494, a bill for an act to amend chapter thirteen-B (13-B), title V, supplement to the code, 1913, relating to pensions for disabled and retired policemen.

Also:

House File No. 500, a bill for an act to amend chapter two-A (2-A) title ten (X) of the supplement to the code, 1913, relating to drainage districts and to provide for the establishment of additional pumping stations and to provide for the division of districts in which pumping plants have been established and the creation of new districts by such division and to provide for the manner of such division and the payment of the obligations of the original district and to provide for the establishing of subdrainage districts as independent districts and to provide for the construction of settling basins and the condemnation of lands for the purpose of constructing settling basins and inlets thereto.

Also:

House Joint Resolution No. 5, joint resolution granting to the treasurer of state authority to make settlement in delinquencies in automobile licenses prior to 1919, and providing for additional help.

Also:

House File No. 222, a bill for an act to amend the law as it appears in section four thousand nine hundred ninety-nine-a eighteen (4999-a18) of the supplement to the code, 1913, relating to duties and powers of commis-

sioner; and to amend the law as it appears in section four thousand nine hundred ninety-nine-a thirty-one b (4999-a31b) of the supplement to the code, 1913, relating to salaries of assistants; and to amend the law as it appears in section four thousand nine hundred ninety-nine-a thirty-one c (4999-a31c) of the supplemental supplement to the code, 1915, relating to labeling of foods; and to amend section four thousand nine hundred ninety-nine-a thirty-one f (4999-a31f) of the supplemental supplement to the code, 1915, relating to the appropriation of the dairy and food department.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### BILLS SIGNED BY THE PRESIDENT.

The president announced that as president of the Senate in the presence of the Senate he had signed House Files Nos. 228, 12, 419, 345 and 347; also Senate Files Nos. 429, 479, 188, 527, 82, 499, 529, 158, 390 and 500.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 18th day of April, 1919, sent to the governor for his approval, Senate File No. 429, a bill for an act to amend Paragraph four (4) of Section four thousand six hundred twenty-three (4623) of the Code, relating to the admissibility as evidence of loose leaf or card or other form of entry used in the ordinary course of business.

Also:

Senate File No. 479, a bill for an act to amend Section One Thousand Three Hundred Four (1304) Supplemental Supplement to the Code, 1915, relating to property exempt from taxation.

Also:

Senate File No. 188, a bill for an act to amend section eight-hundred ninety-four (894), Supplemental Supplement to the Code, 1915, in paragraph three (3) thereof, in relation to sewer fund levied annually by cities.

Also:

Senate File No. 186, a bill for an act to create an Iowa State Board of

Engineering Examiners; to provide for the examination and registration of professional engineers and land surveyors; and to fix penalties for the violation of this act.

Also:

Senate File No. 527, a bill for an act to legalize the proceedings of the town council of the town of Oakland, Pottawattamie County, Iowa, and an election held thereunder for the purpose of authorizing the construction of a waterworks system in said town and the issuance of bonds to pay the cost of constructing the same.

Also:

Senate File No. 82, a bill for an act to make uniform the law of sales of goods, and repealing all acts or parts of acts inconsistent herewith and providing that this act may be cited as the Uniform Sales Act.

Also:

Senate File No. 499, a bill for an act to encourage horticulture and allied industries of the State of Iowa through an annual exposition and to make an appropriation therefor.

Also:

Senate File No. 529, a bill for an act to repeal section three thousand four hundred and fifteen (3415) of the code, and enacting a law in lieu thereof relating to compensation of executors, administrators and attorneys in the settlement of estates.

Also:

Senate File No. 158, a bill for an act to amend section two thousand seven hundred twenty-seven-three a (2727-3a) Supplement to the Code, 1913, providing for salaries of chief executives of certain state institutions.

Also:

Senate File No. 390, a bill for an act to repeal section fourteen hundred nineteen (1419) supplement to the Code, 1913, and enacting a substitute therefor, providing for the notice of sale of property for delinquent taxes and the publication of such notice.

Also:

Senate File No. 500, a bill for an act to repeal section two thousand five hundred seventy five (2575) of the Code, and to enact a substitute therefor relating to the annual appropriation for the State Board of Health.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

## REPORT OF COMMITTEE.

MR. PRESIDENT—Your sifting committee begs leave to report it has had under consideration House File No. 7, and recommends the same be amended by striking out all after the enacting clause and substituting in lieu thereof the following:

SECTION 1. That all cities in this state organized and existing under what is known as the commission plan of government and having a population of one hundred thousand (100,000) or over, into or through which a stream flows which furnishes drainage for any city or town further up the stream, and whose boundary lines join, shall have the power to construct, repair and maintain necessary drains and sewers to preserve and protect the health of such cities.

SEC. 2. When any such city located as above indicated desires to construct, repair and maintain any such sewer or drain, the council of such city shall by resolution determine the necessity for the construction of such drains and sewers, the character and extent thereof, the method of construction, the one or more kinds and size thereof, the property to be assessed therefor, the location and terminal points thereof, and cause twenty (20) days' notice of time when said resolution will be considered by such council for passage to be given by four publications in said city in some newspaper of general circulation published therein, the last of which shall be not less than two nor more than four weeks prior to the time fixed for the consideration of said resolution, at which time the owners of the property subject to assessment for the same may appear and make objection to the contemplated improvement, sewer or drain, and the passage of said proposed resolution, at which hearing the same may be amended and passed or passed as proposed.

SEC. 3. Such city shall have power to establish sewer districts to embrace all or such portions of said commission governed cities as in the judgment of the council thereof will receive special benefits from the construction, repair, improvement or reconstruction of such sewer or sewers, to change the boundaries of same from time to time as may become in the judgment of such council just and equitable, and to assess so much of the cost of such drains and sewers against all lots or tracts of land contained in the sewer district within which such improvements are made as shall equal and be in proportion to the special benefits conferred by said improvement and not in excess thereof. In no case shall such assessment exceed twenty-five (25) per centum of the actual value of said lots or tracts at the time of levy thereof.

SEC. 4. Whenever the resolution of necessity hereinabove provided for has been adopted and the provisions of the preceding sections complied with, the council may by ordinance or resolution order the construction, repair, improvement or reconstruction of said drain or sewer upon a yea and nay vote entered of record, which record shall also show whether such improvement was petitioned for or made on the motion of the council.

## THIRD READING OF BILLS.

On motion of Senator Parker, House File No. 7, a bill for an act to empower cities organized under the commission plan of government, located on or into and through which a stream flows which furnishes drainage for any city or town whose boundary lines or any part thereof joins to provide for the construction of sewers, with report of sifting committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The committee amendments were adopted, as found in the report of sifting committee immediately preceding.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 40.

Adams	Frailey	Parker
Anderson	Greenell	Price
Arney	Hale	Proudfoot
Balkema	Haskell	Ratcliff
Ball	Holdoegel	Rule
Brookhart	Horchem	Shane
Broxam	Kimball	Smith
Byington	Kimberly	Stephenson
Cessna	Kingland	Stoddard
Coburn	LeCompte	Thompson
Edwards	Meredith	White
Evans	Nelson	Whitmore
Fellows	Newberry	Wilson
Foskett		

Nays, 2.

Foster	Schaffter
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Absent or not voting, 8.

Buser	Rainbow	Taylor
Mitchell	Reed	Van Alstine
Pitt	Scott	

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

Senator Proudfoot offered the following amendment to the title and moved its adoption:

To empower certain cities organized under the commission plan of government located on or into and through which a stream flows which furnishes drainage for any city or town whose boundary lines or any part thereof joins, to provide for the construction of sewers.

The amendment was adopted and the title as amended was agreed to.

Senator Parker moved that the vote by which House File No. 7 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### MESSAGES FROM THE HOUSE.

The following messages were received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 272, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 523, in which the concurrence of the House was asked.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate concurrent resolution, in which the concurrence of the House was asked, memorializing the Government of the United States and Congress to provide for additional pay to all soldiers, sailors and marines having served six months or over.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 357, a bill for an act appropriating \$50,000.00 for relief of schools in coal mining camps.

W. C. RAMSAY, *Chief Clerk.*

President pro tem Arney was called to the chair at 10:30.

### THIRD READING OF BILLS.

On motion of Senator Proudfoot Senate File No. 542, a bill for an act to repeal the law as it appears in Section One Hundred Ninety-eight (198) and Section One Hundred Ninety-nine (199) of the Code and to enact a substitute therefor dealing with the rendition and filing of opinions by the Supreme Court and the Judges thereof, a committee bill, was taken up and considered.

Senator Kingland offered the following amendment and moved its adoption:

Amend by striking therefrom the second paragraph of section two of the bill.

Senator Whitmore offered the following amendment as a substitute for the pending amendment, and moved its adoption:

Amend by striking out of paragraph 2 of Section 2 "At the option of the Court an affirming decision may be made without the filing of an opinion".

The substitute amendment was lost.

Senator Price raised the point of order that the matter covered by the amendment offered by Senator Kingland had already been passed on by the Senate in refusing to adopt the substitute amendment offered by Senator Whitmore.

The point of order was not sustained.

Senator Evans offered the following amendment to the pending amendment of Senator Kingland:

Amend the pending amendment by striking out of said amendment all reference to the last sentence of the second paragraph in section 2 of the bill.

The amendment to the amendment was adopted.

Senator Price raised the point of order that since the adoption of the Evans amendment to the amendment by Senator Kingland, the present pending amendment was exactly the same as the Whitmore amendment which was rejected.

Senator Evans raised the point of order that the point of order raised by Senator Price was out of order as the amendment to the amendment had been adopted.

Senator Whitmore raised the point of order that debate on the point of order was out of order.

The point of order was sustained.

On the question, "Shall the amendment offered by Senator Kingland as amended be adopted?" the vote was:

Ayes, 21.

Anderson	Foskett	Proudfoot
Balkema	Holdoegel	Rainbow
Ball	Horchem	Reed
Broxam	Kimball	Schaffter
Buser	Kingland	Thompson
Byington	Mitchell	Whitmore
Evans	Nelson	Wilson

Nays, 10.

Edwards	LeCompte	Rule
Frailey	Price	Shane
Haskell	Ratcliff	Stoddard
Kimberly		

Absent or not voting, 19.

Adams	Greenell	Scott
Arney	Hale	Smith
Brookhart	Meredith	Stephenson
Cessna	Newberry	Taylor
Coburn	Parker	Van Alstine
Fellows	Pitt	White
Foster		

The amendment was adopted.

Senator Proudfoot 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 vote was:



## Ayes, 31.

Adams	Foskett	Mitchell
Anderson	Frailey	Nelson
Balkema	Greenell	Price
Ball	Holdoegel	Rainbow
Broxam	Horchem	Ratcliff
Buser	Kimball	Reed
Byington	Kimberly	Schaffter
Cessna	Kingland	Shane
Coburn	LeCompte	Thompson
Edwards	Meredith	White
Evans		

## Nays, 6.

Fellows	Parker	Rule
Hale	Pitt	Whitmore

## Absent or not voting, 13.

Arney	Proudfoot	Stoddard
Brookhart	Scott	Taylor
Foster	Smith	Van Alstine
Haskell	Stephenson	Wilson
Newberry		

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 Proudfoot Senate File No. 539, a bill for an act relating to the recording of deeds conveying to the public, ground for street purposes, a committee bill, was taken up and considered.

The bill was read for information.

Senator Proudfoot moved that the rules be suspended, the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

## Ayes, 14.

Adams	Foskett	Rainbow
Anderson	Foster	Rule
Arney	Haskell	Schaffter
Broxam	Horchem	Shane
Evans	Parker	

## Nays, 15.

Ball	Kimball	Ratcliff
Buser	Meredith	Stoddard
Edwards	Mitchell	Thompson
Hale	Pitt	Whitmore
Haskell	Price	Wilson

## Absent or not voting, 21.

Balkema	Greenell	Reed
Brookhart	Holdoegel	Scott
Byington	Kimberly	Smith
Cessna	LeCompte	Stephenson
Coburn	Nelson	Taylor
Fellows	Newberry	Van Alstine
Frailey	Proudfoot	White

So the bill, having failed to receive a constitutional majority was declared to have failed to pass the Senate.

President Moore resumed the chair at 11:30.

## CONCURRENT RESOLUTION.

Senator Foskett offered the following resolution:

**A RESOLUTION IN THE INTEREST OF THE UNITED STATES WAR SAVINGS CAMPAIGN IN IOWA.**

*Whereas*, thrift, saving and safe investment, not waste, is of sound economic importance to the growing boy and girl, to adults and to the State and Nation, and

*Whereas*, the Iowa War Savings Committee, conducting the national thrift campaign in Iowa for the United States Government, has recommended household and individual budgetting of incomes and earnings to enable systematic saving, now therefore,

*Be It Resolved by the Thirty-eighth General Assembly of the State of Iowa:*

1—That the citizens of Iowa be urged to practice wise spending and wise saving, and adopt the individual and family budget system, which will serve them to properly record and apportion their expenditures to their income and earnings, and

2—That the people, both parents and children, of Iowa, extend consideration in every way to THRIFT, giving expression thereof by saving as much as they may be able, and investing as they may be able in United States Government War Savings Certificates Stamps and United States Government Thrift Stamps.

By unanimous consent, the resolution was taken up, considered and adopted.

## CORRECTION OF JOURNAL.

The journal of April 17th was corrected and approved.

## MEMBERS OF BUILDING COMMITTEE.

In accordance with the provisions of Senate File No. 73, the president appointed Senators Kimball and Haskell as members from the Senate of the committee to supervise the building of the new Temple of Justice.

## CONFERENCE COMMITTEE REPORT.

Senator Meredith submitted the following report of conference committee on Senate File No. 203:

*To the President of the Senate:*

Your conference committee on the part of the Senate, to whom was referred Senate File No. 203, a bill for an act making appropriations for the State University of Iowa, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers College, the Iowa College for the Blind, and the Iowa School for the Deaf, beg leave to report that they have met and considered the House amendments to the said bill and that they are unable to agree upon a recommendation of the same.

DAVID MEREDITH,

H. C. WHITE,

W. C. RATCLIFF,

J. D. BUSER.

The report was received and the committee was discharged.

## CONFERENCE COMMITTEE REPORT.

Senator Wilson submitted the following report of conference committee on Senate File No. 497:

MR. PRESIDENT—We, your conference committee, to whom was referred Senate File No. 497, beg leave to report that we have had the same under consideration and recommend that the Senate recede from the amendment adopted by it, April 11, 1919, and recommend that the said bill be amended by inserting in line nine (9) of section two (2) the words "two-thirds", and by inserting in line twenty-six (26) in place of the word "majority" the words "two-thirds".

J. M. WILSON,

A. L. RULE,

E. M. SMITH,

SIMON MILLER,

K. M. LeCOMPTE,

C. J. LeVALLEY,

H. B. MORGAN,

Senator Wilson moved that the conference amendment be adopted.

Senator Foster invoked rule 8.

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 23.

Adams	Foster	Pitt
Anderson	Greenell	Reed
Balkema	Haskell	Rule
Ball	Holdoegel	Schaffter
Brookhart	Meredith	Thompson
Broxam	Mitchell	White
Evans	Newberry	Wilson
Foskett	Parker	

Nays, 20.

Arney	Frailey	Rainbow
Buser	Hale	Rateliff
Dy'ngton	Kimberly	Shane
Cessna	Kingland	Stephenson
Coburn	Ne'son	Stoddard
Edwards	Price	Whitmore
Fellows	Proudfoot	

Absent or not voting, 7.

Horchem	Scott	Taylor
Kimball	Emith	Van Alstine
LeCompte		

The conference committee amendment having failed to receive a constitutional majority, was declared to have failed to be adopted by the Senate.

On motion of Senator Foskett Senate adjourned until 1:30 p. m. today.

AFTERNOON SESSION.

Senate met pursuant to adjournment, President Moore presiding.

HOUSE FILE NO. 313 RECALLED.

Senator Pitt asked unanimous consent to reconsider the vote by which the report of the committee was adopted indefinitely postponing House File No. 313, and that the bill be recalled from the House; unanimous consent was given and the motion prevailed.

## BILLS SIGNED BY THE PRESIDENT.

The president announced that as president of the Senate in the presence of the Senate he had signed House Files Nos. 31, 484, 494, 500, 222, 312, 547, 224, 553, 431, 536, 335, 382, 526, 148, 197, and House Joint Resolution No. 5.

## COMMUNICATION.

April 7, 1919.

MY DEAR MR. MOORE:

At the opening of your session there was uncertainty as to the whereabouts of certain committee-books of the 37th General Assembly. At the close of the 37th G. A. I tried to obtain the possession of these for safe keeping after they were given up by those properly in charge and until the opening of the present session. It proved of benefit in the instances where I succeeded.

I respectfully suggest that you make some order directing these records to be filed with me and a receipt taken for them; at the next session this receipt presented to me will be my warrant for redelivering the same to the bearer or to the order of the proper official.

Sincerely yours,

E. R. HARLAN.

Hon. E. R. Moore,  
Lieutenant Governor,  
Capitol.  
ERH-SRS

The communication was ordered printed in the journal.

## THIRD READING OF BILLS.

On motion of Senator Foskett, Senate File No. 541, a bill for an act fixing the number and compensation of employees in the state departments at the seat of government, and the compensation of certain officers, a bill by committee on departmental affairs was taken up for consideration.

Senator Arney moved that the Senate go into committee of the whole for the consideration of Senate File No. 541.

The motion prevailed.

The Senate dissolved as a committee of the whole and resumed session.

## CONFERENCE COMMITTEE REPORT.

*To the President of the Senate:*

Your conference committee appointed to confer on House File 85, beg leave to report that they have considered said bill, and have agreed upon the following substitute amendment and recommend its adoption:

## A BILL FOR AN ACT

Requiring the teaching of American citizenship in the public and private schools located in the State of Iowa and providing for an outline of such subject.

SECTION 1. All public and private schools located within the state of Iowa shall be required to teach the subject of American citizenship.

SEC. 2. The superintendent of public instruction shall prepare and distribute to all elementary schools an outline of American citizenship for all grades from one to eight inclusive.

SEC. 3. Public and private high schools, academies and other institutions ranking as secondary schools which maintain three year courses of instruction shall offer a minimum of instruction in American history and civics of the state and nation to the extent of two semesters, and schools of this class which have four year courses shall offer in addition one semester in social problems and economics.

SEC. 4. The superintendent of public instruction shall distribute to all high schools, academies, and institutions ranking as secondary schools, an outline of a course of study in American history, civics of the state and nation, social problems and economics prepared under his direction.

BYRON W. NEWBERRY,  
O. A. BYINGTON,  
N. BALKEMA,  
W. T. EVANS,

*Conference Committee for Senate.*

C. V. FINDLAY,  
DOUGLAS ROGERS,  
W. G. VANDER PLOEG,  
W. F. MOORE,

*Conference Committee for House.*

## 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. 329, a bill for an act regulating traffic in and the licensing of dealers in eggs.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has adopted the report of the conference committee and the amendments proposed by the conference committee on House File No. 122.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House insists upon its amendments to Senate File No. 294, in which the concurrence of the Senate is asked, and appoints the following conference committee: Scott of Marshall, Messer, Moore and Le Valley.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has adopted the report of the conference committee on House File No. 85 and the amendments proposed by the conference committee.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the Senate is asked:

House File No. 563, a bill for an act authorizing the Board of Control to close certain institutions.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 265, a bill for an act relating to appointment and qualifications of bank examiners.

#### HOUSE AMENDMENT.

Amend Senate File No. 265 by adding thereto as Section 3 the following:

"No payments of any kind shall be made by the State Treasurer to cover expenses and salaries of the Banking Department or any part

thereof, unless there shall be on hand in the office of the Treasurer of State sufficient funds, received as income from said Department, to pay the same."

Amend Sections 3 and 4 by renumbering as Sections 4 and 5.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 505, a bill for an act relating to insurance.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has amended and passed the following bill in which the concurrence of the House was asked:

Senate File No. 308, a bill for an act relating to the appointment and compensation of deputy county officers.

I move to amend Senate File 308 by striking out all of said bill after the enacting clause and substituting in lieu thereof the following:

SECTION 1. That the law as it appears in section two hundred ninety-eight (298), supplemental supplement to the code, 1915, as amended by chapter seventy-seven (77) of the Acts of the Thirty-seventh General Assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

"Each clerk of the district court may, in writing, with the consent of the Board of Supervisors, appoint one or more deputies not holding a county office, for whose acts he shall be responsible, and from whom he shall require a bond, which bond shall be approved by the officer who has the approval of the principal's bond. Such appointment may be revoked in writing, which appointment and revocation shall be filed in the Auditor's office. The person or persons thus appointed shall qualify by taking the same oath as his principal, endorsed upon the certificate of appointment. The deputy, in the absence or disability of his principal, may perform all the duties of the principal pertaining to his office.

He shall receive a salary of not less than 50% of that of his principal, nor more than \$1500 per year, to be fixed by the board of supervisors, and in case additional deputies and clerks are needed, the board of supervisors may make such allowance therefor as they deem reasonable. Provided that in counties having a population of fifty thousand or over the salary of the first deputy shall be not less than 50% of that of his principal nor more than \$1750 per year to be fixed by the board of supervisors and the salary of the second deputy shall be not less than 50%



of that of his principal nor more than \$1500 per year and the salary of the third deputy shall be 50% of that of his principal. Provided that in counties having within their limits a city of sixty thousand or over the salary of the first deputy and second deputy shall be sixty-five per cent of that of the principal and the salary of the third and fourth deputy shall be 50% of that of the principal and in case additional clerks are needed the salary of such deputies or clerks shall be fixed by the board of supervisors.

Provided further than in counties in which the district court is held in two places, the deputy in charge at the place other than the county seat shall receive the same salary as the first deputy in said county.

Sec. 2. That the law as it appears in section No. 481, supplemental supplement to the code, 1915, as amended by chapter 77 of the acts of the Thirty-seventh General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

"Each county Auditor may in writing, with the consent of the board of supervisors, appoint one or more deputies not holding a county office, for whose actions he shall be responsible and from whom he shall require a bond, which bond shall be approved by the officer who has the approval of the principal's bond, and such appointment may be revoked in writing; which appointment and revocation shall be filed and kept in the Auditor's office. The person thus appointed shall qualify by taking the same oath as his principal, endorsed upon the certificate of the appointment. The deputy, in the absence or disability of his principal, may perform all the duties of the principal pertaining to his office. He shall receive a salary of not less than 50% of that of his principal, nor more than \$1500 per year, to be fixed by the board of supervisors. In case no deputy shall be appointed, but on account of the pressure of business in his office, the Auditor is compelled temporarily to employ an assistant, he shall file the bill for such services with the board of supervisors at their next regular meeting and the board of supervisors shall make a reasonable allowance therefor.

Provided that in counties having a population of fifty thousand (50,000) or over the salary of the first deputy shall be not less than 50% of that of his principal nor more than \$1750 per year to be fixed by the board of supervisors and the salary of the second deputy shall be not less than 50% of that of his principal nor more than \$1500 per year and the salary of the third deputy shall be 50% of that of his principal.

Provided that in counties having within their limits a city of sixty thousand or over the salary of the first and second deputies shall be 65% of that of the principal and the salary of the third and fourth deputies shall be 50% of that of the principal and in case additional deputies or clerks are needed the salary of such deputies or clerks shall be fixed by the board of supervisors.

Sec. 3. That the law as it appears in section four hundred ninety-one (491), supplemental supplement to the code, 1915, as amended by chapter seventy-seven (77) of the Acts of the Thirty-seventh General Assembly,

be and the same is hereby repealed and the following enacted in lieu thereof:

"Each county treasurer may, in writing, with the consent of the board of supervisors, appoint one or more deputies, not holding a county office, for whose Acts he shall be responsible, and from whom he shall require a bond, which bond shall be approved by the officer who has the approval of the principal's bond. Such appointment may be revoked in writing; which appointment and revocation shall be filed and kept in the auditor's office. The person or persons thus appointed shall qualify by taking the same oath as his principal, endorsed upon the certificate of appointment. The deputy, in the absence or disability of his principal may perform all the duties of the principal pertaining to his office."

He shall receive a salary of not less than 50% of that of his principal, nor more than \$1500.00 per year, to be fixed by the Board of Supervisors, and in case additional deputies and clerks are needed, the Board of Supervisors may make such allowance therefor as they may deem reasonable.

Provided that in counties having a population of 50,000 or over the salary of the first deputy shall be not less than 50% of that of his principal nor more than \$1750.00 per year to be fixed by the Board of Supervisors and the salary of the second deputy shall be not less than 50% of that of his principal nor more than \$1500.00 per year and the salary of the third deputy shall be not more than 50% of that of his principal to be fixed by the board of supervisors.

Provided that in counties having within their limits a city of 60,000 or over the salary of the first and second deputy shall be 65% of that of the principal and the salary of the third and fourth deputy shall be 50% of that of the principal and in case additional deputies and clerks are needed the salary of such additional deputies and clerks shall be fixed by the Board of Supervisors.

Sec. 4. That the law as it appears in Section four (4) of Chapter seventy-seven (77) of the Acts of the 37th General Assembly be and the same is hereby repealed and the following enacted in lieu thereof: "Each county recorder may, in writing, with the consent of the Board of Supervisors, appoint one or more deputies not holding a county office, for whose acts he shall be responsible and from whom he shall require a bond, which bond shall be approved by the officer who has the approval of the principal's bond. Such appointment may be revoked in writing, such appointment and revocation shall be filed and kept in the auditor's office. The person or persons thus bonded shall qualify by taking the same oath as his principal, endorsed upon the certificate of appointment. The deputy, in the absence or disability of his principal may perform all of the duties of the principal pertaining to his office.

He shall receive a salary of not less than 50% of that of his principal, nor more than \$1500.00 per year, to be fixed by the Board of Supervisors, and in case additional deputies and clerks are needed, the Board of Supervisors may make such allowance therefor as they deem reasonable.

Provided that in counties having a population of 50,000 or over the salary of the first deputy shall be not less than 50% of that of his principal nor more than \$1750.00 per year to be fixed by the Board of Supervisors and the salary of the second deputy shall be not less than 50% of that of his principal nor more than \$1500.00 per year and the salary of the third deputy shall be not more than 50% of that of his principal to be fixed by the Board of Supervisors.

Provided that in counties having within their limits a city of 60,000 or over the salary of the first and second deputy shall be 65% of that of the principal and the salary of the third and fourth deputy shall be 50% of that of the principal and in case additional deputies and clerks are needed the salary of such additional deputies and clerks shall be fixed by the Board of Supervisors.

Sec. 5. That the law as it appears in section five hundred ten-b (510-b), supplemental supplement to the code, 1915, be and the same is hereby repealed and the following enacted in lieu thereof:

"In all counties the sheriff shall in writing appoint one or more persons, not holding a county office, as deputy or deputies, for whose acts he shall be responsible and from whom he shall require a bond, which appointment and bond shall be approved by the officer having the approval of the principal's bond; and such appointment may be revoked in writing, which appointment and revocation shall be filed in the auditor's office. In all cases the board of supervisors shall fix the number of deputies. The salary of the chief deputy shall be sixty-five (65%) per cent of that of his principal but not to exceed \$1800.00 the other deputies to be fixed by the board of supervisors. In counties in which district court is held in two places the first deputy shall receive sixty-five per cent of the salary received by the sheriff. Provided, further that the deputy in charge of the office other than at the county seat shall receive the same salary as that received by the first deputy at the county seat. All deputies shall be paid by the county.

Sec. 6. All increases of salary granted by this act shall cease and determine on June first 1921.

Sec. 7. 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 the Plain Talk, newspapers published in Des Moines, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate amendments to House File No. 7.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 324, a bill for an act relating to taxation of money and credits of insurance companies.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 544, a bill for an act making an appropriation for expenses of Code commission in publishing and distributing the code, report of commission and book of annotations.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 530, a bill for an act relating to consolidated school districts.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 543, a bill for an act relating to the licensing of chauffeurs of certain motor trucks.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 authorizing life insurance companies to act as trustees of the proceeds of certain insurance policies.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in the Senate amendments to House Joint Resolution No. 4.

W. C. RAMSAY, *Chief Clerk.*

## BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate in the presence of the Senate he had signed Senate Files Nos. 238, 214, 304, 516, 518, 514, 515, 55, 513, 535, 480, 212, 281, 124 and 524.

## CONFERENCE COMMITTEES.

The president announced the appointment of the following conference committee on Senate File No. 203, on the part of the Senate, Senators Fellows, Ball, Nelson and Price.

The president announced the appointment of the following conference committee on Senate File No. 497, on the part of the Senate, Senators Smith, Evans, Thompson and Hale.

## SPECIAL COMMITTEE REPORT.

Senator Pitt presented the following report:

**MR. PRESIDENT**—Your committee, to whom was referred the investigation of the charges made by James M. Pierce, beg leave to report that they have had the same under consideration and have taken certain evidence in regard to same, but for want of time have not been able to make a complete investigation of the charges, and now make this their first and final report of their acts and findings in regard to the charges.

The first charge was as follows: "I charge that Woodworth Clum, as secretary of the Iowa Commission to the Panama Pacific Exposition, paid a personal and private bill which had nothing to do with the exposition or the state of Iowa out of funds appropriated for the state's expenditures at the San Francisco Fair."

We were unable on account of lack of time to take all the evidence in regard to this item and report in relation thereto that the evidence taken was, that Woodworth Clum made an agreement with the Iowa News Bureau to furnish legislative news relating to the Thirty-sixth General Assembly to the Clinton Advertiser, by daily reports, at the agreed price of One Dollar (\$1.00) per day, and that nothing in the agreement indicated to or advised the Iowa News Bureau that the services to be rendered were for the Panama Pacific Exposition. That the agreement was made prior to the passage of the act appropriating the funds for the exposition and continued until the close of the session, and that the same was paid for from the state funds appropriated for the exposition to the amount of Fifty-six (\$56.00) Dollars. Further evidence on this point tends to show that certain members of the Commission had authorized Woodworth Clum to make such arrangements with R. E. Bales, a member of the Iowa News Bureau, as would secure his co-operation and good will in sending out letters of the news of the Legislature as would be favorable to the passage of the appropriation bill for the Panama Pacific Exposition.

Charge No. 2 was as follows: "I charge that Woodworth Clum paid One Hundred Dollars (\$100.00) of the state's money for a second hand typewriter which was owned by the Clinton Advertiser in which he was interested."

Your committee finds from the evidence and the records, that the Remington typewriter, Model 10 No. 375842 as shown by report of expense of the Executive Council for 1916 in the expenses of the Iowa Panama Pacific Exposition Commission on page 454, line 31, was purchased of B. G. Oats for One Hundred Dollars (\$100.00), and that B. G. Oats was a partner of Woodworth Clum in the Clinton Advertiser. Your committee further finds from the evidence that this typewriter was originally purchased by the W. J. Moore Company of Sterling, Illinois, on January 28, 1914; and your committee further finds that this typewriter has not been returned to the State of Iowa, and on June 11, 1918, it was in the possession of the Greater Iowa Association at Davenport, Iowa.

Charge No. 3 was as follows: "I charge that Woodworth Clum paid to himself out of state funds Fifteen Hundred Sixty-two and 54-100 Dollars (\$1562.54) as salary for seven and one-half months prior to the time that the bill was passed making the appropriation.

Your committee finds from the evidence the facts to be, that Woodworth Clum was paid Fifteen Hundred Sixty-two and 54-100 Dollars (\$1562.54) as salary for seven and one-half months prior to the time the bill was passed making the appropriation from the guaranty fund, and that after the appropriation was passed by the Legislature the guaranty fund was reimbursed from the money appropriated. Your committee further finds that the act, being Senate File No. 42 of the Thirty-sixth General Assembly, did not authorize the payment of bills made prior to the passage of the act, and the payment of such bills was in violation of Section 31, Article 3 of the Constitution of Iowa.

Charge No. 4 was as follows: "I charge that Woodworth Clum paid to himself out of the state appropriation for the Panama-Pacific Exposition, salary and expenses for the time that he was lobbying in the Thirty-sixth General Assembly for the passage of the appropriation bill, which was to provide him a position."

Your committee finds from the evidence that Woodworth Clum was lobbying for the appropriation bill referred to during parts of the month of January and February, 1915, and that his salary and at least a portion of his expenses during said time were paid or reimbursed to the guaranty fund of the Commission from the appropriation after the same had passed.

Charge No. 5 was as follows: "I charge that the Iowa Commission to the Panama Pacific Exposition has failed to comply with the law requiring it to make a full detailed and itemized accounting of the state funds which it handled."

Your committee reports they have not had the time to make full investigation of this charge, but that the evidence adduced tended to show

that no detailed and itemized accounting had been made of the funds to the satisfaction of the executive council, and recommend that said charge be fully investigated by the committee on retrenchment and reform now authorized to make an investigation of this matter with other matters to be investigated by them.

Charge No. 6 was as follows: "I charge that the Iowa Commission to the Iowa Panama Pacific Exposition has failed to report to the executive council a penny received from concessions or sources of income at the San Francisco Exposition, and that it has failed to account for or return the property purchased with the state's money."

Your committee finds from the evidence adduced at the hearing, that no money was received by the Commission from concessions or other income at the San Francisco Exposition; and further finds from the evidence that only part of the property purchased with the state's money has ever been returned to the state. We also find that some furniture was sold for which Three Hundred Seventy-nine and 35-100 (\$379.35) Dollars was received, and that this amount was accounted for to the state. Your committee further reports that because of the irregularities noted herein and the unsatisfactory condition of the reports made, that they recommend that the whole matter be referred to the committee on retrenchment and reform for full investigation.

Your committee has caused the evidence taken to be reduced to writing and a transcript of the same is filed herewith.

M. B. PITT,  
J. D. BUSER,  
J. L. BROOKHART,  
C. W. REED,  
H. C. ADAMS,

*Committee.*

MR. PRESIDENT—Your committee appointed to investigate the charges made against Woodworth Clum and the Panama Pacific Exposition Commission, further report that in said investigation they incurred the following expense:

J. L. Brookhart, telephone.....	\$ 2.20
Frank C. Walrath, per diem.....	20.00
Frank C. Walrath, transcript .....	50.00
Mrs. Izora Dixon, transcript .....	23.40
Lucille Forgey, transcript .....	1.50
Paul S. Jones, witness fee and mileage .....	1.55
<b>Total .....</b>	<b>\$98.65</b>

and recommend that the same be paid from the fund provided for in joint resolution providing for said investigation.

M. B. PITT,  
J. D. BUSER,  
J. L. BROOKHART,  
C. W. REED,  
H. C. ADAMS.

Senator Foskett moved that the salary bill if passed at the evening session, be printed in the journal as passed.

The motion prevailed.

Senator Foster moved that the Senate adjourn until 8 p. m.

Senator Whitmore moved to make the time 7:30.

The amendment was lost.

The motion of Senator Foster prevailed and Senate adjourned until 8 p. m.

### EVENING SESSION.

Senate met pursuant to adjournment, President Moore presiding.

The roll was called to determine the presence of a quorum and showed as follows:

Present, 28.

Anderson	Foster	Nelson
Ball	Greenell	Price
Brookhart	Haskell	Rainbow
Broxam	Holdoegel	Rule
Buser	Horchem	Shane
Byington	Kimball	Smith
Cessna	Kingland	Taylor
Coburn	Meredith	Whitmore
Evans	Mitchell	Wilson
Foskett		

Absent, 22.

Adams	LeCompte	Schaffter
Arney	Newberry	Scott
Balkema	Parker	Stephenson
Edwards	Pitt	Stoddard
Fellows	Proudfoot	Thompson
Fralley	Ratcliff	Van Alstine
Hale	Reed	White
Kimberly		

The President declared a quorum present.

### SENATE FILE NO. 313 WITHDRAWN.

By unanimous consent, Senator Greenell withdrew Senate File No. 313 from further consideration.



## HOUSE AMENDMENT CONCURRED IN.

Senator Foster called up Senate File No. 265 amended by the House, and moved that the Senate concur in the following House amendments:

Amend Senate File No. 265 by adding thereto as Section 3 the following:

"No payments of any kind shall be made by the State Treasurer to cover expenses and salaries of the Banking Department or any part thereof, unless there shall be on hand in the office of the Treasurer of State sufficient funds, received as income from said Department, to pay the same."

Amend Sections 3 and 4 by renumbering as Sections 4 and 5.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 27.

Anderson	Foster	Nelson
Brookhart	Greenell	Price
Broxam	Haskell	Rainbow
Buser	Holdoegel	Rule
Byington	Horchem	Shane
Cessna	Kimball	Smith
Coburn	Kingland	Taylor
Evans	Meredith	Whitmore
Foskett	Mitchell	Wilson

Nays, none.

Absent or not voting, 23.

Adams	Kimberly	Schaffter
Arney	LeCompte	Scott
Balkema	Newberry	Stephenson
Ball	Parker	Stoddard
Edwards	Pitt	Thompson
Fellows	Proudfoot	Van Alstine
Frailey	Ratcliff	White
Hale	Reed	

Senator Foster moved that the vote by which House amendments to Senate File No. 265 were concurred in by the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

## SENATE FILE NO. 387.

Senator Wilson called up Senate File No. 387 passed by both Houses, and asked unanimous consent to change the word and figure "one (1)" in line 2 of section 1 to read "two (2)".

Unanimous consent was given and the change was made.

#### HOUSE MESSAGES CONSIDERED.

House File No. 563, a bill for an act authorizing the Board of Control to close certain institutions under its management.

Read first and second time and referred to sifting committee.

House File No. 417, a bill for an act to amend section 2507 of the supplemental supplement to the code making an appropriation to pay the expenses and salaries provided for in said section.

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

House File No. 243, a bill for an act making appropriations for the construction of buildings at the State University of Iowa and the Iowa State College of Agriculture and Mechanic Arts.

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

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption :

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled Senate File No. 535, a bill for an act to amend section fourteen hundred-t 1 (1400-t1) of the supplement to the code, 1913, relating to boundaries of capitol extension.

Also:

Senate File 480, a bill for an act to amend the law as it appears in section one hundred sixty-one-a (161-a), supplement to the code, 1913, relating to the settlement with state officers, appointment of expert accountant and assistants, powers of executive council, and to enact a substitute therefor, excluding the management of the institutions under the board of control and board of education therefrom.

Also:

Senate File 212, a bill for an act to repeal section twenty-five hundred thirty-eight-w3 (2538-w3) supplemental supplement to the code, 1915, twenty-five hundred thirty-eight-w4 (2538-w4) supplement to the code, 1913, twenty-five hundred thirty-eight-w5 (2538-w5) of the supplemental supplement to the code, 1915, and sections twenty-five hundred thirty-

eight-w6 (2538-w6), twenty-five hundred thirty-eight-w7 (2538-w7) of the supplement to the code, 1913, and sections twenty-five hundred and thirty-eight-w8 (2538-w8) and twenty-five hundred thirty-eight-w12 (2538-w12) of the supplemental supplement to the code, 1915, and sections twenty-five hundred thirty-eight-w9 (2538-w9) twenty-five hundred thirty-eight-w10 (2538-w10) and twenty-five hundred thirty-eight-w11 (2538-w11) of the supplement to the code, 1913, and to enact substitutes therefor regulating and licensing the manufacture, sale and use of anti-hog-cholera serum and hog-cholera virus and providing penalties for violation of the provisions of this act.

Also:

Senate File 281, a bill for an act defining the crime of criminal syndicalism and prescribing punishment therefor.

Also:

Senate File 124, a bill for an act to repeal the law as it appears in sections four hundred seventy-nine (479), four hundred ninety (490), four hundred ninety-five (495) and five hundred ten a (510-a) supplemental supplement to the code, 1915, and section one (1) of chapter four hundred twenty-six (426) of the acts of the thirty-seventh general assembly, and section two thousand seven hundred forty-two (2742) supplement to the code, 1913, and to enact substitutes in lieu thereof, relating to the duties and compensation of county officers.

Also:

Senate File 524, a bill for an act to amend Senate File two hundred and ten (210) as enacted by the thirty-eighth (38) general assembly and approved March 14, 1919, relating to a codification of the laws and the printing and publishing of the code and the reports of the code commission.

Also:

Senate File 238, a bill for an act to amend section three thousand ninety-two (3092), of the code, section three thousand ninety-three (3093) supplement to the code, 1913, and section three thousand ninety-four (3094) supplemental supplement to the code, 1915, and section three thousand one hundred two (3102) of the code relating to the time when a sub-contractor may file a mechanic's lien, owner's liability and discharge thereof, and to sub-contractor's claim after sixty days.

Also:

Senate File 214, a bill for an act to repeal section seven hundred thirty-seven-a (737-a), supplement to the code, 1913, and to enact a substitute therefor empowering the state board of health to draft a code regulating the business of plumbing, requiring all cities, having sanitary sewerage systems or other systems of domestic sewage disposal, including cities

acting under the commission form of government and special charter cities, to regulate the business of plumbing; to make rules and regulations for the installation of same; to create a board of examiners of plumbers in cities having a sanitary sewerage system or other system of domestic sewage disposal; to issue certificates, or licenses, to persons, firms or corporations desiring to engage in the business of plumbing who are properly qualified; to provide for the removal of plumbing installed in violation of the manner prescribed, and providing for punishment for violation of the terms of this act.

Also:

Senate File 304, a bill for an act to empower the board of supervisors to order the destruction of certain papers and records.

Also:

Senate File 516, a bill for an act to authorize the construction of a spur track by the state of Iowa, to the Iowa Soldiers' Home at Marshalltown, Iowa, and to make an appropriation therefor.

Also:

Senate File 518, a bill for an act to legalize certain conveyances heretofore made, purporting to convey real property situated within the incorporated town of New Rippey, in Green County, Iowa, and to correct errors in the title thereto.

Also:

Senate File 514, a bill for an act to amend the law as it appears in section eight hundred thirteen (813) of the supplemental supplement to the code, 1915, relating to the giving of notices for bids.

Also:

Senate File No. 515, a bill for an act to amend the law as it appears in section eight hundred ten (810) of the supplemental supplement to the code, 1915, relating to the publication and posting of notices of hearing on resolution of necessity.

Also:

Senate File 55, a bill for an act to amend the law as it appears in section thirteen hundred sixty-six (1366), supplement to the code, 1913, relative to assessors' books.

Also:

Senate File 513, a bill for an act to amend the law as it appears in section eight hundred twenty-three (823) of the supplement to the code, 1913,

relating to the publication and posting of notices of assessment.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 535, a bill for an act to amend section fourteen hundred-t 1 (1400-t-1) of the supplement to the code, 1913, relating to boundaries of capitol extension.

Also:

Senate File 480, a bill for an act to amend the law as it appears in section one hundred sixty-one-a (161-a), supplement to the code, 1913, relating to the settlement with state officers, appointment of expert accountant and assistants, powers of executive council, and to enact a substitute therefor, excluding the management of the institutions under the board of control and board of education therefrom.

Also:

Senate File 212, a bill for an act to repeal section twenty-five hundred thirty-eight-w3 (2538-w3) supplemental supplement to the code, 1915, twenty-five hundred thirty-eight-w4 (2538-w4) supplement to the code, 1913, twenty-five hundred thirty-eight-w5 (2538-w5) of the supplemental supplement to the code, 1915, and sections twenty-five hundred thirty-eight-w6 (2538-w6), twenty-five hundred thirty-eight-w7 (2538-w7) of the supplement to the code, 1913, and sections twenty-five hundred and thirty-eight-w12 (2538-w12) of the supplemental supplement to the code, 1915, and sections twenty-five hundred thirty-eight-w9 (2538-w9) twenty-five hundred thirty-eight-w10 (2538-w10) and twenty-five hundred thirty-eight-w11 (2538-w11) of the supplement to the code, 1913, and to enact substitutes therefor regulating and licensing the manufacture, sale and use of anti-hog-cholera serum and hog-cholera virus and providing penalties for violation of the provisions of this act.

Also:

Senate File 281, a bill for an act defining the crime of criminal syndicalism and prescribing punishment therefor.

Also:

Senate File 124, a bill for an act to repeal the law as it appears in sections four hundred seventy-nine (479), four hundred ninety (490), four hundred ninety-five (495) and five hundred ten-a (510-a) supplemental

supplement to the code, 1915, and sections one (1) of chapter four hundred twenty-six (426) of the acts of the thirty-seventh general assembly, and section two thousand seven hundred forty-two (2742) supplement to the code, 1913, and to enact substitutes in lieu thereof, relating to the duties and compensation of county officers.

Also:

Senate File 238, a bill for an act to amend section three thousand ninety-two (3092), of the code, section three thousand ninety-four (3094) supplemental supplement to the code, 1915, and section three thousand one hundred two (3102) of the code relating to the time when a sub-contractor may file a mechanic's lien, owner's liability and discharge thereof, and to sub-contractor's claim after sixty days.

Also:

Senate File 214, a bill for an act to repeal section seven hundred thirty-seven-a (737-a), supplement to the code, 1913, and to enact a substitute therefor empowering the state board of health to draft a code regulating the business of plumbing, requiring all cities, having sanitary sewerage systems or other systems of domestic sewage disposal, including cities acting under the commission form of government and special charter cities, to regulate the business of plumbing; to make rules and regulations for the installation of same; to create a board of examiners of plumbers sewage disposal; to issue certificates, or licenses, to persons, firms or corporations desiring to engage in the business of plumbing installed who are properly qualified; to provide for the removal of plumbing installed in violation of the manner prescribed, and providing for punishment for violation of the terms of this act.

Also:

Senate File 304, a bill for an act to empower the board of supervisors to order the destruction of certain papers and records,

Also:

Senate File 516, a bill for an act to authorize the construction of a spur track by the state of Iowa, to the Iowa Soldiers' Home at Marshalltown, Iowa, and to make an appropriation therefor.

Also:

Senate File 518, a bill for an act to legalize certain conveyances heretofore made, purporting to convey real property situated within the incorporated town of New Rippey, in Green County, Iowa, and to correct errors in the title thereto.

Also:

Senate File 514, a bill for an act to amend the law as it appears in

section eight hundred thirteen (813) of the supplemental supplement to the code, 1915, relating to the giving of notices for bids.

Also:

Senate File No. 515, a bill for an act to amend the law as it appears in section eight hundred ten (810) of the supplemental supplement to the code, 1915, relating to the publication and posting of notices of hearing on resolution of necessity.

Also:

Senate File 55, a bill for an act to amend the law as it appears in section thirteen hundred sixty-six (1366), supplement to the code, 1913, relative to assessors' books.

Also:

Senate File 513, a bill for an act to amend the law as it appears in section eight hundred twenty-three (823) of the supplement to the code, 1913, relating to the publication and posting of notices of assessment.

Also:

Senate File No. 524, a bill for an act to amend Senate File two hundred and ten (210) as enacted by the thirty-eighth (38) general assembly and approved March 14, 1919, relating to a codification of the laws and the printing and publishing of the code and the reports of the code commission.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 382, a bill for an act to amend the law as it appears in section twenty-seven hundred forty (2740) of the code, relating to the duties of county superintendents.

Also:

House File No. 526, a bill for an act to confer additional powers on cities now or hereafter having a population of one hundred thousand (100,000) inhabitants or over, including cities acting under the commission plan of government, relating to waterworks.

Also:

House File No. 148, a bill for an act amending section number eighteen (18) of chapter number four hundred twenty-nine (429) of the laws of the thirty-seventh general assembly, providing for the organizing, admitting, licensing and regulating of insurance companies other than life, by prescribing the amount of capital required for companies insuring live stock exclusively.

Also:

House File No. 197, a bill for an act providing for the organizing, admitting from other states, licensing and regulating of mutual insurance corporations, organized among physicians, druggists, dentists and graduate nurses for their protection against loss in actions for alleged error, mistake or negligence; requiring such organizations to be incorporated; providing for fees, taxes, licenses, reports, cancellations, supervision and other regulations thereof and repealing all acts and parts of acts in conflict therewith.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### REPORT OF COMMITTEE.

Senator Holdoegel, from the Committee on departmental affairs, submitted the following report:

MR. PRESIDENT—Your committee on departmental affairs, to whom was referred Senate File No. 312, a bill for an act to amend sections sixteen hundred fifty-seven-n (1657), sixteen hundred fifty-seven-c (1657-c), sixteen hundred fifty-seven-p (1657-p) and sixteen hundred fifty-seven-r (1657-r), supplement to the code, 1913, relating to the compensation of the officers and members of the state board of agriculture and date of publishing premium list, 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:

First. By striking out Section 1 of the bill and substituting in lieu thereof the following:

SECTION 1. That Section sixteen hundred fifty seven-n (1657-n) of the supplement to the Code, 1913, be amended by striking out the words "thirty five hundred" in the last line thereof and substituting in lieu thereof the words "four thousand".

Second. By striking out the words "hotel and other" in line five of Section 3 of the bill and the word "expenses" in line six of said Section 3 of the bill and substituting in lieu thereof the words "and hotel expenses".

P. C. HOLDOEGEL, *Chairman.*

Ordered passed on file.



## REPORT OF CONFERENCE COMMITTEE.

Senator Balkema, from the conference committee on House File No. 122, submitted the following report:

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

Your conference Committee to whom was referred House File No. 122, a bill for an act to amend chapter 231 two hundred thirty one, Acts of the Thirty-seventh General Assembly, relating to the appropriation allowed to the Governor and Attorney General for the purpose of enforcement of the law and to enact a substitute therefor and the amendment made thereto by the Senate, in which amendment the House refused to concur and on which amendment the Senate insisted, beg leave to report that said committees have had said bill and all amendments connected therewith, and referred to them, under consideration, and report and recommend as follows:

First: That the title of said bill be stricken out and substitute in lieu thereof the title appearing in this report and following the signatures of this committee.

Second: That the bill be further amended by striking out all after the enacting clause and substituting in lieu thereof the sections appearing in this report and following the signatures of this committee.

N. BALKEMA,  
EUGENE SCHAFFER,  
J. M. WILSON,  
J. K. HALE,  
U. S. ALDERMAN,  
FRANK C. LAKE,  
WM. C. WINDETT.

## A BILL FOR AN ACT

To amend Chapter two hundred thirty-one (231) Acts of the Thirty-seventh General Assembly, relating to peace officers appointed by the Governor or Attorney General and requiring them to give bond.

SECTION 1. That Chapter two hundred thirty-one (231), Acts of the Thirty-seventh General Assembly be and the same is hereby amended by striking out the words and figures "twenty-five thousand (\$25,000) dollars" in the twelfth (12th) line thereof and inserting in lieu thereof the words and figures "thirty-seven thousand five hundred (\$37,500) dollars".

SEC. 2. Any person or persons, other than peace officers already under bond, so selected or appointed by the Governor or Attorney General, shall be required to give bond to the state of Iowa in the sum of five thousand (\$5000.00) dollars.

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 Des Moines Register and Des Moines Capital, newspapers published at Des Moines, Iowa.

## THIRD READING OF BILLS.

On motion of Senator Pitt, House File No. 313, a bill for an act providing for the establishment of levee and drainage district and improvements in cases where the board of supervisors have heretofore attempted to establish the same under title X chapter 2, McClain's code of 1888, as amended and where said establishment has failed by reason of the unconstitutionality of said provision, and to provide for the district established under the provisions of this act, taking over and establishing as the improvement of this district and ditch, levee or drain all ready in whole or in part constructed, under said attempted establishment and to assess benefits therefor and allow damages and to make such ditch, dike or drain, the improvement or a part of the improvement established under this act; and to provide for the levy and collection of taxes to be assessed against the benefited area affected by said improvements for both the cost of construction and any subsequent work done thereon as repairs and for maintenance thereof, was taken up on a motion to reconsider.

The bill was read for information.

Senator Pitt 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 vote was:

Ayes, 31.

Arney	Haskell	Rainbow
Ball	Holdoegel	Ratcliff
Brookhart	Horchem	Reed
Broxam	Kingland	Rule
Buser	Meredith	Schaffter
Byington	Mitchell	Shane
Cessna	Nelson	Smith
Coburn	Parker	Stoddard
Evans	Pitt	Whitmore
Foskett	Price	Wilson
Foster		

Nays, 1.

Greenell

Absent or not voting, 18.

Adams	Hale	Scott
Anderson	Kimball	Stephenson
Balkema	Kimberly	Taylor
Edwards	LeCompte	Thompson
Fellows	Newberry	Van Alstin.
Frailey	Proudfoot	White

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

Senator Pitt moved that the vote by which House File No. 313 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### CONFERENCE REPORT ADOPTED ON HOUSE FILE NO. 85.

Senator Newberry called up House File No. 85 and moved that the report of the conference committee be adopted.

The motion prevailed.

Senator Newberry moved that the following conference committee amendments be adopted:

#### A BILL FOR AN ACT

Requiring the teaching of American citizenship in the public and private schools located in the State of Iowa and providing for an outline of such subject.

SECTION 1. All public and private schools located within the state of Iowa shall be required to teach the subject of American citizenship.

SEC. 2. The superintendent of public instruction shall prepare and distribute to all elementary schools an outline of American citizenship for all grades from one to eight inclusive.

SEC. 3. Public and private high schools, academies and other institutions ranking as secondary schools which maintain three year courses of instruction shall offer a minimum of instruction in American history and civics of the state and nation to the extent of two semesters, and schools of this class which have four year courses shall offer in addition one semester in social problems and economics.

SEC. 4. The superintendent of public instruction shall distribute to all high schools, academies, and institutions ranking as secondary schools, an outline of a course of study in American history, civics of the state and nation, social problems and economics prepared under his direction.

On the question, "Shall the amendments be adopted?" the vote was:

Ayes, 33.

Anderson	Greenell	Price
Ball	Haskell	Rainbow
Brookhart	Holdoegel	Reed
Buser	Horchem	Rule
Byington	Kingland	Schaffter
Cessna	Meredith	Shane
Coburn	Mitchell	Smith
Evans	Nelson	Stoddard
Foskett	Newberry	Taylor
Foster	Parker	Whitmore
Frailey	Pitt	Wilson

Nays, none.

Absent or not voting, 17.

Adams	Hale	Scott
Arney	Kimball	Stephenson
Balkema	Kimberly	Thompson
Broxam	LeCompte	Van Alstine
Edwards	Proudfoot	White
Fellows	Ratcliff	

The conference committee amendment, having received a constitutional majority, was declared to have been adopted and concurred in by the Senate.

CONFERENCE REPORT ADOPTED ON HOUSE FILE NO. 122.

Senator Wilson called up House File No. 122 and moved the adoption of the conference committee report.

The report was adopted.

Senator Wilson moved that the conference committee amendment be adopted.

On the question "Shall the amendment be adopted?" the vote was:

Ayes, 34.

Anderson	Frailey	Pitt
Arney	Greenell	Proudfoot
Balkema	Haskell	Rainbow
Brookhart	Holdoegel	Rule
Broxam	Horchem	Schaffter
Buser	Kingland	Shane
Byington	Meredith	Stoddard
Cessna	Mitchell	Taylor
Coburn	Nelson	Van Alstine
Evans	Newberry	Whitmore
Foskett	Parker	Wilson
Foster		

Nays, 4.

Ball  
Price

Ratcliff

Smith

Absent or not voting, 12.

Adams  
Edwards  
Fellows  
Hale

Kimball  
Kimberly  
LeCompte  
Reed

Scott  
Stephenson  
Thompson  
White

The conference committee amendment, having received a constitutional majority, was declared to have been concurred in and adopted by the Senate.

Senator Wilson moved that the vote by which the conference committee amendment to House File No. 122 was adopted by the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### REPORT OF COMMITTEE.

Senator Foskett, from the committee on appropriations, submitted the following report:

MR. PRESIDENT—Your committee on appropriations, to whom was referred concurrent resolution, in re attorneys fees for T. E. Mann and F. W. Ingersoll, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Also:

Your committee on appropriations, to whom was referred House File No. 107, a bill for an act to compensate Roy Harrison for injuries received while working in the Reformatory at Anamosa under sentence of court, whereby he lost a part of his right hand and making an appropriation to pay such compensation, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred House File No. 362, a bill for an act to provide for the compilation, publication and distribution of an Iowa Roster covering the Mexican Border Service and

the World war, etc., beg leave to report they have had the same under consideration and recommend the same be amended by striking out Sections 7 and 8 and renumbering Section 9 as Section 7 and when so amended the bill do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 284, a bill for an act to provide additional appropriations to be used in the construction of the Armory at the State University of Iowa and the Armory at the Iowa State College of Agriculture & Mechanic Arts, the construction of which was authorized by Chapter 261, Acts of the 37th General Assembly; and providing that the appropriations shall be drawn by the Iowa State Board of Education, beg leave to report they have had the same under consideration and recommend the same be indefinitely postponed.

H. I. FOSKETT, *Chairman*.

On motion of Senator Foskett, the report of the committee was adopted and the bill 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. 417, a bill for an act fixing the salary of the chief oil inspector and his clerk.

W. C. RAMSAY, *Chief Clerk*.

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 243, a bill for an act making appropriation for construction of State Educational buildings.

W. C. RAMSAY, *Chief Clerk*.

Also:

I am directed to inform your honorable body that the House has adopted conference committee report on Senate File No. 294 and has adopted the amendments proposed by the conference committee.

W. C. RAMSAY, *Chief Clerk*.

## CONFERENCE REPORT.

MR. PRESIDENT—Your conference committee, to whom was referred Senate File No. 294 by Arney, beg leave to report that they have had the same under consideration and make the following recommendations to-wit:

That the same be amended by striking out the words "twenty-five hundred" in the third and fourth lines of the House amendment to said bill and inserting in lieu thereof the words "twenty-eight hundred" and when so amended that the bill do pass.

R. P. SCOTT,  
C. J. LEVALLEY,  
F. T. MESSER,  
W. F. MOORE,  
W. G. HASKELL,  
W. H. ARNEY,  
JAS. M. WILSON,  
JOS. R. FRAILEY.

## CONFERENCE REPORT ON SENATE FILE NO. 294 ADOPTED.

Senator Arney called up Senate File No. 294 and moved the adoption of the report of the conference committee.

The motion prevailed.

Senator Arney moved that the following conference committee amendments be adopted and concurred in:

Amend by striking out the words "twenty-five hundred" in the third and fourth lines of the House amendment to said bill and inserting in lieu thereof the words "twenty-eight hundred".

On the question, "Shall the amendment be adopted?" the vote was:

Ayes, 36.

Anderson	Fralley	Rainbow
Arney	Greenell	Ratcliff
Balkema	Haskell	Reed
Ball	Holdoegel	Rule
Brookhart	Horchem	Schaffter
Broxam	Kingland	Shane
Buser	Meredith	Smith
Byington	Mitchell	Stoddard
Coburn	Parker	Taylor
Evans	Pitt	Van Alstine
Foskett	Price	Whitmore
Foster	Proudfoot	Wilson

Nays, none.

Absent or not voting, 14.

Adams	Kimball	Scott
Cessna	Kimberly	Stephenson
Edwards	LeCompte	Thompson
Fellows	Nelson	White
Hale	Newberry	

The conference committee amendment, having received a constitutional majority, was declared to have been adopted and concurred in by the Senate.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate File No. 137, a bill for an act to appropriate money to pay salaries of persons acting as judges and clerks of elections in various military camps in 1918.

#### HOUSE AMENDMENT.

Amend by adding thereto the following:

"Sec. 4. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Des Moines Register and the Des Moines Capital, newspapers published in Des Moines, Iowa."

W. C. RAMSAY, *Chief Clerk*.

#### HOUSE AMENDMENT CONCURRED IN.

Senator Wilson called up Senate File No. 137, amended by the House, and moved that the Senate concur in the following House amendment:

#### HOUSE AMENDMENT.

Amend by adding thereto the following:

Sec. 4. This act being deemed of immediate importance shall be in full force and effect after its passage and publication in the Des Moines Register and the Des Moines Capital, newspapers published in Des Moines, Iowa.

On the question, "Shall the Senate concur?" the vote was:



Ayes, 36.

Anderson	Fralley	Proudfoot
Arney	Greenell	Rainbow
Balkema	Haskell	Ratcliff
Ball	Holdoegel	Reed
Brookhart	Horchem	Rule
Broxam	Kingland	Schaffter
Buser	Meredith	Shane
Byington	Mitchell	Smith
Cessna	Newberry	Stoddard
Coburn	Parker	Taylor
Evans	Pitt	Van Alstine
Foster	Price	Wilson

Nays, none.

Absent or not voting, 14.

Adams	Kimball	Stephenson
Edwards	Kimberly	Thompson
Fellows	LeCompte	White
Foskett	Nelson	Whitmore
Hale	Scott	

The House amendment, having received a constitutional majority, was declared to have been concurred in by the Senate.

#### MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

Concurrent resolution relative to permitting members of the General Assembly to purchase their chairs.

W. C. RAMSAY, *Chief Clerk*,

Also:

I am directed to 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 relative to the establishment of state parks.

W. C. RAMSAY, *Chief Clerk*,

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 534, a bill for an act relating to the powers and duties of the state entomologists.

W. C. RAMSAY, *Chief Clerk*,

**Also:**

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 495, a bill for an act relating to boundaries of the Capitol extension.

W. C. RAMSAY, *Chief Clerk*.

**Also:**

I am directed to 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 relating to establishing a medical department of the state library.

W. C. RAMSAY, *Chief Clerk*.

**HOUSE RESOLUTION CONCURRED IN.**

Senator Arney moved that the Senate concur in the following resolution:

**CONCURRENT RESOLUTION.**

Concurrent resolution relative to the purchase of new chairs for the General Assembly, and disposition of the ones now in use.

*Whereas*, the chairs now in use by the General Assembly have been used for many years, and will be unfit for use by the next General Assembly

*Be It Resolved by the General Assembly of Iowa:*

That any members of the general assembly wishing to do so, may purchase their chair upon payment of seven dollars and fifty cents (\$7.50), to the custodian who shall prepare the same for shipment to the purchaser; and that the executive council is hereby instructed to purchase new chairs for use of the general assembly; and that such chairs shall not be used by the departments, but shall be kept in the rooms of the general assembly.

The Senate concurred in the resolution.

**THIRD READING OF BILLS.**

On motion of Senator Foskett Senate File No. 541, a bill for an act fixing the number and compensation of employees in the state departments at the seat of government, and the compensation of certain officers, a committee bill, was taken up and considered.

Senator Anderson offered the following amendment and moved its adoption:

Amend by adding to paragraph headed "Dairy and Food Department" after line 13 thereof the following: 20 inspectors at salaries from \$3.00 to \$5.00 per day.

The amendment was adopted.

Senator Foskett 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 vote was:

Ayes, 36.

Anderson	Frailey	Price
Arney	Greenell	Proudfoot
Balkema	Haskell	Rainbow
Ball	Holdoegel	Ratcliff
Brookhart	Horchem	Reed
Broxam	Kimball	Rule
Byington	Kingland	Schaffter
Cessna	Meredith	Shane
Coburn	Nelson	Smith
Evans	Newberry	Stoddard
Foskett	Parker	Whitmore
Foster	Pitt	Wilson

Nays, 1.

Buser

Absent or not voting, 13.

Adams	LeCompte	Taylor
Edwards	Mitchell	Thompson
Fellows	Scott	Van Alstine
Hale	Stephenson	White
Kimberly		

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

Senator Foskett moved that the vote by which Senate File No. 541 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### EXPLANATION OF VOTE ON SENATE FILE NO. 541.

MR. PRESIDENT—We vote for this under protest, believing that the high salaried employees are getting too much and the low salaried employees too little.

M. B. PITT,  
A. L. RULE,  
J. A. NELSON,  
T. C. CESSNA.

## REPORT OF SIFTING COMMITTEE.

MR. PRESIDENT—Your sifting committee having under consideration House File Three Hundred Eighty-six (386), by Edson, a bill for an act to appropriate money for the protection of the banks of Storm Lake, hereby report that we have had the same under consideration and recommend that the same be referred to the committee on appropriations.

A. V. PROUDFOOT, *Chairman*.

The bill was referred to the committee on appropriations.

## THIRD READING OF BILLS.

On motion of Senator Anderson Senate File No. 312, a bill for an act to amend sections sixteen hundred fifty-seven-n (1657-n), sixteen hundred fifty-seven-c (1657-c), sixteen hundred fifty-seven-p (1657-p) and sixteen hundred fifty-seven-r (1657-r), supplement to the code, 1913, relating to the compensation of the officers and members of the state board of agriculture and date of publishing premium list, with report of committee recommending amendments and passage, was taken up and considered and the report of the committee adopted.

The following committee amendments were adopted:

First. By striking out Section 1 of the bill and substituting in lieu thereof the following:

SECTION 1. That Section sixteen hundred fifty seven-n (1657-n) of the supplement to the Code, 1913, be amended by striking out the words "thirty-five hundred" in the last line thereof and substituting in lieu thereof the words "four thousand".

Second. By striking out the words "hotel and other" in line five of Section 3 of the bill and the word "expenses" in line six of Section 3 of the bill and substituting in lieu thereof the words "and hotel expenses".

The bill was read for information.

Senator Anderson moved that the rules be suspended, the bill be considered engrossed and the reading just had be considered the third reading, which motion prevailed.

Senator Evans invoked rule 8.

On the question "Shall the bill pass?" the vote was:

## Ayes, 30.

Anderson	Fralley	Proudfóot
Arney	Greenell	Rainbow
Balkema	Haskell	Ratcliff
Brookhart	Holdöegel	Reed
Broxam	Horchem	Schaffter
Byington	Kimball	Shane
Coburn	Meredith	Stoddard
Evans	Newberry	Van Alstine
Foskett	Parker	Whitmore
Foster	Pitt	Wilson

## Nays, 6.

Ball	Cessna	Price
Buser	Nelson	Rule

## Absent or not voting, 14.

Adams	Kingland	Stephenson
Edwards	LeCompte	Taylor
Fellows	Mitchell	Thompson
Hale	Scott	White
Kimberly	Smith	

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

Senator Anderson moved that the vote by which Senate File No. 312 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

## REPORT OF COMMITTEE.

Senator Foskett, from the committee on appropriations, submitted the following report:

MR. PRESIDENT—Your committee on appropriations, to whom was referred House File No. 386, a bill for an act, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman*.

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred Senate File No. 295, a bill for an act to establish three additional normal schools; the location to be determined by the State Board of Education and making appropriations for purchase of sites, erection of buildings and support of

schools, 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:

Amend Senate File No. 295 by striking out all following the enacting clause and substituting in lieu thereof the following:

"SECTION 1. There shall be established, located and equipped within two years after the taking effect of this act, one elementary state normal school for the purpose of preparing teachers of the grades below the high school in towns, cities and in rural districts. Such preparation not to exceed two academic years above graduation from an accredited high school or its equivalent.

SEC. 2. Said state normal school shall be located by the state board of education and shall not be located within one hundred miles by nearest railroad of the Iowa State Teachers' College at Cedar Falls.

SEC. 3. For the purpose of carrying into effect the provisions of this act, said state board of education is empowered to accept donations of site and buildings for whatever amount and to whatever extent may seem to be practicable. The location of such site and construction and equipment of buildings thereof, are to be under the control of the said state board of education.

SEC. 4. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the amount of \$200,000 or as much thereof as may be necessary for the purchase of whatever lands may be necessary as a site for said state normal school and for the construction, repair and equipping of such buildings as may be needed for such school. Not more than \$15,000 of this amount shall be expended for the purchase of land.

SEC. 5. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the amount of \$35,000 annually, or as much thereof as may be necessary, in the judgment of the state board of education for the equipment, support and maintenance of said state normal school, but no warrants on the support fund shall be drawn until the board of education shall have determined upon the site.

SEC. 6. The appropriations provided for in section 4 and 5 of this act shall be drawn on the order of the state board of education for such school as needed."

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

On motion of Senator Kimball, House File No. 362, a bill for an act to provide for the compilation, publication, and distribution of an Iowa Roster covering the Mexican Border Service and the World War; and to aid in the compilation and publication of a comprehensive history of Iowa's part in the World War as outlined and undertaken by the State Historical Society of Iowa, with

report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend by striking out Sections 7 and 8 and by renumbering Section 9 as Section 7.

The bill was read for information.

Senator Brookhart offered the following amendment and moved its adoption:

Amend House File No. 362 by striking out section 3 and renumbering the remaining sections.

The amendment was adopted.

Senator Kimball moved that the rules be suspended, and the reading just had be considered the third reading, which motion prevailed.

On motion of Senator Kimball the vote by which the bill went to its third reading was reconsidered.

Senator Kimball offered the following amendment and moved its adoption:

Amend by substituting for the word "drafted" in the third line of section 2 the words "selected for service".

Also by substituting for the word "draft" in the thirteenth line of section 2 the words "selective service".

The amendment was adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 34.

Anderson  
Arney  
Balkema  
Ball  
Brookhart  
Broxam  
Buser  
Byington  
Cessna  
Coburn  
Evans  
Foskett

Frailey  
Greenell  
Haskell  
Holdoegel  
Kimball  
Kingland  
Meredith  
Mitchell  
Newberry  
Parker  
Pitt

Price  
Proudfoot  
Rainbow  
Ratcliff  
Reed  
Rule  
Schaffter  
Shane  
Stoddard  
Van Alstine  
Whitmore

Nays, none.

Absent or not voting, 14.

Adams	Horchem	Smith
Edwards	Kimberly	Stephenson
Fellows	LeCompte	White
Foster	Nelson	Wilson
Hale	Scott	

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

Senator Kimball offered the following amendment to the title and moved its adoption:

Amend the title to H. F. No. 362 by substituting the following:

"Providing for the compilation of a roster of Iowa soldiers, sailors and marines in the Mexican border service of 1916 and 1917; and the world's war of 1917, 1918, and 1919; and other historical data in connection with the world war of 1917, 1918, and 1919, and providing for the manner of its publication, distribution and sale; creating a commission to perform said compilation and making an appropriation therefor."

The amendment was adopted and the title as amended was agreed to.

Senator Brookhart moved that the vote by which Senate File No. 362 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### SENATE FILE NO. 541.

By committee on departmental affairs, Senate File No. 541, a bill for an act fixing the number and compensation of employees in the state departments at the seat of government, and the compensation of certain officers.

*Be It Enacted by the General Assembly of the State of Iowa:*

SECTION 1. Until July 1, 1921, the number of employees and provision for compensation therefor, for the various offices and departments of the state at the seat of government, except where otherwise provided by law, shall not exceed the number herein named, and the compensation to each per annum and for such employment shall be the amounts as hereinafter fixed.

For the office of Adjutant General.

▲djutant General shall receive a salary of.....\$3000.00



Assistant Adjutant General salary not to exceed.....	2200.00
Property and Disbursing Officer, salary not to exceed.....	1500.00
One Record Clerk, salary not to exceed.....	1200.00
One general clerk, one National Guard clerk, one file clerk and three stenographers, each at salaries of from.....	.960 to 1200.00

All of these salaries shall be paid from the regular appropriation for the support of the National Guards.

For the office of the Attorney General.

Attorney General shall receive a salary of.....	5000.00
One assistant attorney general, salary not to exceed.....	3600.00
One assistant attorney general, salary not to exceed.....	3000.00
Two assistant attorney generals, each at a salary not to exceed..	3000.00
One secretary, salary not to exceed.....	1800.00
Two stenographers, each at a salary from.....	.960 to 1200.00

For the office of Auditor of State.

Auditor of State shall receive a salary of.....	4000.00
One deputy auditor, salary not to exceed.....	2400.00
One chief clerk of revenue department, salary not to exceed....	2400.00
One chief clerk of county accounting department, salary not to exceed .....	2400.00
One chief clerk municipal accounting and building and loan de- partment, salary not to exceed.....	2400.00
One assistant county accountant, salary not to exceed.....	2000.00
One general clerk, salary not to exceed.....	1700.00
One warrant clerk, salary not to exceed.....	1400.00
One assistant warrant clerk, salary from.....	.960 to 1200.00
One stenographer and clerk, salary from.....	.960 to 1200.00
One clerk and janitor, salary from.....	1080 to 1200.00
Extra clerical assistant and contingent.....	800.00

The accountants in the municipal accounting department and the County accounting department shall receive a per diem of \$7.00 to be paid by the County or Municipality, together with actual expenses while making examinations.

For the office of Board of Control.

Three members shall receive a salary, each of.....	4000.00
One secretary, salary not to exceed.....	3000.00
One architect, at a salary not to exceed.....	3000.00
One accountant at a salary not to exceed.....	2100.00
One assistant accountant, salary not to exceed.....	1600.00
One assistant accountant, salary not to exceed.....	1500.00
One purchasing agent, salary not to exceed.....	2000.00
One estimate clerk, salary not to exceed.....	1400.00
One statistician, salary not to exceed.....	1400.00

One parole clerk at a salary not to exceed.....	1200.00
One file clerk at a salary not to exceed.....	1200.00
Four stenographers, each at salaries from.....	960 to 1200.00
One storekeeper and clerk, salary not to exceed.....	1200.00
One draftsman, salary not to exceed.....	1500.00
Seven state agents, each at salaries from .....	1000 to 1320.00
and the necessary expenses of said state agents.	

For the office of Board of Parole.

Three members shall receive expenses and a per diem of .....	10.00
One secretary at a salary not to exceed.....	2700.00
One parole agent at a salary not to exceed.....	2000.00
One parole agent at a salary not to exceed.....	2000.00
One file clerk at a salary not to exceed.....	1300.00
Two stenographers at salaries from.....	960 to 1200.00

For the office of Clerk of Supreme Court.

Clerk of Supreme Court shall receive a salary of.....	3000.00
One deputy clerk, salary not to exceed.....	2000.00
One brief and file clerk, salary not to exceed.....	1600.00
One general clerk at a salary of from.....	960 to 1200.00
One messenger at a salary not to exceed.....	1080.00

For the office of Custodian.

One assistant custodian and engineer, salary of.....	2200.00
One first assistant engineer, salary not to exceed.....	1500.00
One second assistant engineer at a salary not to exceed.....	1400.00
One machinist and electrician at a salary not to exceed.....	1500.00
One assistant machinist and electrician salary not to exceed.....	1400.00
One carpenter at a salary not to exceed.....	1500.00
Three night watches, each at a salary not to exceed.....	1080.00
One extra engineer at a salary not to exceed.....	1400.00
One boiler tender at a salary not to exceed.....	1300.00
One florist at a salary not to exceed.....	1400.00
Five fireman each at salaries not to exceed.....	1200.00
One painter at a salary not to exceed.....	1500.00
One yard man at a salary not to exceed.....	1080.00
One clerk and janitor in Department of Agriculture, at a salary not to exceed.....	1080.00
Twenty janitors each at a salary not to exceed.....	1080.00
One matron at a salary not to exceed.....	1080.00
Two elevator tenders, each at a salary not to exceed.....	840.00
For removal of snow and extra help.....	500.00
For allowance for washing towels.....	300.00

For Office of Document Editor.

Document editor shall receive a salary of.....	3000.00
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One clerk and accountant salary not to exceed.....	1800.00
One janitor and assistant clerk, salary not to exceed.....	1080.00
One stenographer at a salary of from.....	.960 to 1200.00

## Dairy and Food Department.

One commissioner shall receive salary of.....	3300.00
One deputy commissioner at a salary not to exceed.....	2600.00
One chemist at a salary not to exceed.....	2700.00
One chief inspector of weights and measurers, salary not to exceed .....	2400.00
One assistant chemist and bacteriologist salary not to exceed....	2400.00
One chief clerk at a salary not to exceed.....	1800.00
One license clerk at a salary not to exceed.....	1500.00
Three stenographers each at salaries from.....	.960 to 1200.00
Six creamery inspectors, one dairy inspector, three dairy and four inspectors, eight food inspectors and two weight and measure inspectors, each at a salary from.....	1800 to 2100.00
Twenty inspectors at salaries from \$3.00 to \$5.00 per day.	
One janitor at a salary not to exceed.....	1080.00

In the salaries in this department which are on a sliding scale, the inspector shall receive the sum of \$1800.00 for their first year in the department and shall receive an annual increase of \$100.00 per year until the maximum salary is reached.

## For the Office of Executive Council.

One secretary at a salary not to exceed.....	2700.00
One assistant secretary at a salary not to exceed.....	2400.00
One second assistant salary not to exceed.....	1400.00
One supply room clerk at a salary not to exceed.....	1200.00
One postmaster, salary not to exceed.....	1200.00
One clerk, salary not to exceed.....	1200.00
One store room janitor, salary not to exceed.....	1080.00
Three clerks, each at salaries from.....	.960 to 1200.00
One voucher clerk, salary not to exceed.....	1400.00
One accountant, salary not to exceed.....	2400.00
One assistant accountant, salary not to exceed.....	1800.00
One second assistant accountant, salary not to exceed.....	1500.00
One third assistant accountant at a salary not to exceed.....	1200.00

## For the Office of Geological Survey.

One clerk at a salary not to exceed.....	1400.00
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## For the Office of Governor of State.

The Governor shall receive a salary of and.....	5000.00
As a member of Executive Council.....	1200.00
House rent .....	600.00

One secretary at a salary not to exceed.....	2400.00
One pardon clerk at a salary not to exceed.....	1800.00
One requisition clerk at a salary not to exceed.....	1300.00
One notarial clerk at a salary from.....	.960 to 1200.00
One messenger at a salary not to exceed.....	1080.00
For publication of notices.....	400.00

For Historical Department.

One curator shall receive an annual salary of.....	3000.00
One assistant curator at a salary not to exceed.....	2100.00
One assistant curator at a salary not to exceed.....	2100.00
One assistant curator at a salary not to exceed.....	1400.00
Four assistant curators, each at salaries not to exceed.....	1300.00
Five clerks, each at a salary from.....	.960 to 1200.00
Five mechanic-caretakers and six guards, each at a salary not to exceed.....	1080.00

Office of Insurance Commissioner.

Insurance Commissioner shall receive a salary of.....	3000.00
One deputy commissioner, salary not to exceed.....	2400.00
One actuary, salary not to exceed.....	5000.00
One security clerk (whose bond shall be paid by the State), salary not to exceed.....	2100.00
One assistant clerk, salary not to exceed.....	1400.00
One fee clerk at a salary not to exceed.....	1400.00
One general clerk at a salary not to exceed.....	1400.00
One examiner at a salary not to exceed.....	2600.00
Two stenographers, each at a salary from.....	.960 to 1200.00
One clerk and janitor, salary not to exceed.....	1080.00
Nine examiners each at a per diem from.....	.7.00 to 10.00
and their necessary expenses.	

For office of Labor Commissioner.

Labor commissioner shall receive a salary of.....	3000.00
One deputy commissioner, salary not to exceed.....	1800.00
Three factory inspectors, each at a salary not to exceed.....	1500.00
One chief clerk, salary not to exceed.....	1500.00
One statistician, salary not to exceed.....	1500.00
One department clerk and one stenographer each at a salary from.....	.960 to 1200.00

For office of Mine Inspector.

Three inspectors, each at a salary not to exceed.....	2700.00
One secretary at a salary not to exceed.....	2000.00

## For office of Oil Inspector.

Chief Oil Inspector shall receive a salary of.....	1800.00
One deputy oil inspector, salary not to exceed.....	1200.00
Thirteen inspectors, each at a salary not to exceed.....	1200.00
One stenographer at a salary from.....	.960 to 1200.00
Five deputy oil inspectors, each at a salary not to exceed.....	900.00
Two deputy oil inspectors, each at a salary not to exceed.....	600.00

All inspectors shall receive their actual expenses incurred while attending their duties.

## For Pharmacy Commission.

Three members shall receive their actual expenses and a salary of	1500.00
One secretary-treasurer, salary not to exceed.....	2100.00
For extra clerical assistance, not to exceed.....	400.00

## For Secretary of State.

Secretary of State shall receive a salary of.....	4000.00
One deputy, salary not to exceed.....	2200.00
One chief clerk, salary not to exceed.....	2000.00
One clerk in the land office, salary not to exceed.....	1600.00
One superintendent of bond and investment department, salary not to exceed.....	2400.00
One clerk at a salary not to exceed.....	1500.00
Two clerks each at a salary from.....	.960 to 1200.00
One Code Clerk, salary not to exceed.....	1200.00
One Corporation Clerk, salary not to exceed.....	1200.00
Two stenographers, salary each from.....	.960 to 1200.00
One janitor, salary not to exceed.....	1080.00

The head of the department under which the Motor Vehicle Department is placed, with the consent of the Executive Council shall appoint such necessary help as may be necessary to carry out the provisions of the Motor vehicle law and all salaries of the Motor Vehicle Department shall be paid from that portion of motor vehicle fees which revert to the State of Iowa for the expense of the Motor Vehicle Department.

## For State Board of Education.

Three members of the Finance Committee shall each receive a salary of .....	3600.00
One auditor, salary not to exceed.....	2000.00
One chief clerk at a salary not to exceed.....	1400.00
Three stenographers, each at a salary from.....	.960 to 1200.00

The members of the Board of Education shall receive \$10.00 per day and their actual expenses.

## Office of Superintendent of Public Instruction.

Superintendent of Public Instruction shall receive a salary of....	4000.00
One deputy at a salary not to exceed.....	2700.00

One chief clerk, salary not to exceed.....	1600.00
Four inspectors, each at a salary not to exceed.....	2400.00
and their actual expenses.	
Three stenographers, each at a salary from.....	960 to 1200.00
One janitor at a salary not to exceed.....	1080.00
For extra clerical assistance, not to exceed.....	800.00

## Board of Educational Examiners.

One secretary at a salary not to exceed.....	1800.00
All members of the Board, other than those drawing a salary from the state shall receive a per diem of.....	4.00
and their necessary expenses.	
Examiners shall receive an hourly wage, not to exceed.....	.50

## Office of Treasurer of State.

Treasurer of State shall receive a salary of.....	4000.00
One deputy treasurer shall receive a salary not to exceed.....	2400.00
Cashier (whose bond shall be paid by the State) salary not to ex- ceed .....	1800.00
One collateral clerk, salary not to exceed.....	1500.00
One bookkeeper, salary not to exceed.....	1500.00
One general clerk, salary from.....	960 to 1200.00
Special clerk, salary from.....	960 to 1200.00
One stenographer, salary from.....	960 to 1200.00
One watchman, salary not to exceed.....	1080.00
For additional clerical assistant and contingent.....	600.00

## Supreme Court.

Seven judges of the Supreme Court shall each receive a salary of	6000.00
One bailiff, salary not to exceed.....	1320.00
Seven stenographers, each at salaries from.....	1200 to 1500.00

The sum of \$1000.00 is hereby appropriated to the Supreme Court for Clerk hire.

## Office of State Veterinarian.

State veterinarian shall receive a salary of.....	3000.00
Secretary, salary not to exceed.....	1200.00
One clerk, salary of from.....	960 to 1200.00
Assistant veterinarian shall receive their actual expenses and a per diem of from.....	5.00 to 7.00

## Office of Industrial Commissioner.

Industrial Commissioner shall receive a salary of.....	3300.00
One deputy, salary not to exceed.....	2400.00
One secretary, salary not to exceed.....	1800.00

One chief clerk, salary not to exceed.....	1400.00
One file clerk, one general clerk and three stenographers and clerks, each at a salary from.....	960 to 1200.00
There shall also be allowed the department for medical counsel the sum of.....	900.00

#### Fish and Game Department.

Warden shall receive a salary of.....	2400.00
One assistant warden, salary not to exceed.....	1500.00
Three assistant wardens, each at a salary not to exceed.....	1500.00
One game farm keeper, salary not to exceed.....	1800.00
One assistant, salary from.....	960 to 1200.00
Special assistants shall receive a per diem of.....	2.50 to 4.00

All employees of the department shall receive their actual expenses, while away from their homes on duty.

All of the above salaries shall be paid from the Fish and Game Protection fund.

#### State Board of Health.

Four members shall receive their actual expenses and a salary of .....	900.00
One secretary, salary not to exceed.....	3000.00
Assistant secretary, salary not to exceed.....	1500.00
One chief clerk, salary not to exceed.....	1500.00
One sanitary engineer, salary not to exceed.....	2500.00
One anti-toxin clerk, salary from.....	960 to 1200.00
Two clerk at salaries, each from .....	960 to 1200.00
One bookkeeper at a salary from.....	960 to 1200.00
Two clerks in vital statistics department each at a salary from .....	960 to 1200.00

#### Office of State Fire Marshal.

One fire commissioner, shall receive a salary of.....	2500.00
One deputy, salary not to exceed.....	2000.00
Two assistant deputies, each at a salary not to exceed.....	1600.00
One stenographer and clerk at a salary from.....	1080 to 1300.00

#### Office of Railroad Commissioners.

Three railroad commissioners, each at a salary of.....	3600.00
One secretary, salary not to exceed.....	2700.00
One chief rate clerk, salary not to exceed.....	2400.00
One reporter, salary not to exceed.....	2000.00
One assistant rate clerk, salary not to exceed.....	1800.00
One chief clerk at a salary not to exceed.....	1800.00
One assistant rate clerk, salary not to exceed.....	1600.00

One tariff clerk and stenographer, salary not to exceed.....	1300.00
One statistician, salary not to exceed.....	1800.00
One signal engineer, salary not to exceed.....	2400.00
One electrical engineer, salary not to exceed.....	2700.00
One file clerk, salary from.....	.960 to 1200.00
Three stenographers, each, at a salary from.....	.960 to 1200.00
Commerce Counsel shall receive a salary of.....	5000.00
Assistant commerce counsel, salary not to exceed.....	2400.00
Law clerk, salary not to exceed.....	1800.00
One clerk, salary not to exceed.....	1400.00
One stenographer, salary from.....	.960 to 1200.00

## State General Library.

Librarian shall receive a salary of.....	3000.00
One assistant, salary not to exceed.....	1500.00
One assistant, salary not to exceed.....	1400.00
One cataloguer, salary not to exceed.....	1400.00
One accountant and bookkeeper at a salary at not to exceed.....	1400.00
Two apprentices, each at a salary not to exceed.....	400.00
One janitor, at a salary not to exceed.....	1080.00
One clerk at a salary not to exceed.....	1200.00

## State Law Library.

One law librarian at a salary of.....	3000.00
One assistant at a salary not to exceed.....	1400.00
One assistant in law department, salary from.....	.960 to 1200.00
One research assistant, salary not to exceed.....	1800.00
Two janitors, each at a salary not to exceed.....	1080.00

## State Library Legislative Reference Department.

One reference librarian, at a salary of.....	1400.00
One assistant, salary not to exceed.....	400.00

## Library Commission.

One secretary at a salary not to exceed.....	1800.00
One librarian of the traveling library, salary not to exceed.....	1320.00
One reference librarian, salary not to exceed.....	1320.00
One organizer, salary from.....	.960 to 1200.00
One cataloguer at a salary from.....	.960 to 1200.00
Two clerks and stenographers, each at a salary from.....	.960 to 1200.00
One record clerk at a salary from.....	.960 to 1200.00
Two shipping clerks, each at a salary not to exceed.....	240.00
One apprentice not to exceed.....	600.00

## Supreme Court Reporter.

Reporter for the Supreme Court shall receive a salary of.....	3500.00
Deputy reporter, salary not to exceed.....	2000.00



Three stenographers, each at salaries from.....	960 to 1200.00
One law clerk at a salary not to exceed.....	1500.00

Iowa Weather and Crop Service Bureau.

One Director, at a salary of.....	1800.00
One stenographer and clerk, at a salary from.....	960 to 1200.00

In all cases where salaries are based upon a sliding scale, it is the instruction of the legislature that the head of the department shall use discretion as to the amount of the salary he shall pay and shall not pay the high salary to new clerks and stenographers but shall place them on a graduated scale commensurate with ability and length of service.

All salaries herein named are in lieu of all statutory salaries, for the positions named herein, including such salaries as are contained in any bills passed by the 38th General Assembly.

All janitors employed under the provisions of this resolution shall at all times be subject to the orders of the custodian or assistant custodian to perform any additional service, by way of rendering assistance to the state house engineers, carpenters, supply department or any other labor that may be necessary about 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 or assistant custodian to assign such janitors to any such extra service and he shall discharge any janitor for incompetency, inability, to perform a reasonable amount of service of the character required, neglect of duty or insubordination.

All employees 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 employees named in this resolution shall be under the control of the head of the department, or deputy acting as such, 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, and any head of a department may at any time discharge any clerk or other employee in such a department for neglect of duty, insubordination or incapacity.

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 employees provided for in this act without first having received the approval of the committee on retrenchment and reform. The employees and extra help provided for the various offices and the additional compensation for service provided in this resolution shall at all times be subject to reduction, limitation or other disposition by the committee on retrenchment and reform, whenever such committee shall find that the number of employees and the amount of additional help and compensation, for the pur-

poses named in this resolution should be reduced, eliminated or changed from one office to another and an order made by said committee, and a copy thereof filed with the department whose employees or help or compensation for help shall be reduced or changed and filed with the auditor of state shall be sufficient to prevent further expenditure for such employees, help or service. The retrenchment and reform committee in making an order furnishing any clerical assistance or expending any money for any other state purpose herein provided for, shall enter the same in its records filed in the office of the secretary of state and file a copy of said order with the department affected, and with the auditor of state. The provisions of this paragraph shall be so construed as not to repeal or affect the law as it appears in Section 1683-r2, Supplement to the Code, 1913, nor shall the provisions of this act be so construed as to repeal or affect the law as it appears in section twenty-one hundred eleven (2111) of the Code, and acts amendatory thereto.

There is hereby appropriated out of any funds in the treasury not otherwise appropriated sufficient funds to pay the salaries as herein provided.

SEC. 2. This act being deemed of immediate importance shall take effect and be in full force from and after its publication in the Des Moines Register, a newspaper published in Des Moines, Iowa, and the Des Moines Capital, a newspaper published in Des Moines, Iowa.

#### CALL OF SENATE FILED.

We, the undersigned, members of the Senate, request a call of the Senate on the consideration of House File No. 182.

A. V. PROUDFOOT,  
 J. R. FRAILEY,  
 B. W. NEWBERRY,  
 O. A. BYINGTON,  
 J. D. BUSER,  
 A. L. BROXAM,  
 C. W. REED,  
 J. K. HALE,  
 J. A. STEPHENSON,  
 W. J. GREENELL,  
 W. C. RATCLIFF,  
 H. C. WHITE,  
 J. J. RAINBOW,

H. C. ADAMS,  
 D. W. KIMBERLY,  
 W. G. HASKELL,  
 G. F. COBURN,  
 E. M. SMITH,  
 K. M. Lecompte,  
 J. A. NELSON,  
 E. E. MITCHELL,  
 W. T. EVAN,  
 A. L. RULE,  
 C. KIMBALL,  
 BEN EDWARDS,  
 B. M. STODDARD.

On motion of Senator Proudfoot, Senate adjourned until 9:00 a. m. Saturday.

# JOURNAL OF THE SENATE

SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 19, 1919.

Senate met in regular session, President Ernest R. Moore presiding.

Prayer was offered by Rev. Chas. W. McClelland, pastor of the Presbyterian church of Chariton.

## HOUSE AMENDMENT CONCURRED IN.

Senator Whitmore called up Senate File No. 308 amended by the House, and moved that the Senate concur in the following House amendment:

I move to amend Senate File 308 by striking out all of said bill after the enacting clause and substituting in lieu thereof the following:

**SECTION 1.** That the law as it appears in section two hundred ninety-eight (298), supplemental supplement to the code, 1915, as amended by chapter seventy-seven (77) of the Acts of the Thirty-seventh General Assembly, be and the same is hereby repealed and the following enacted in lieu thereof:

"Each clerk of the district court may, in writing, with the consent of the Board of Supervisors, appoint one or more deputies not holding a county office, for whose acts he shall be responsible, and from whom he shall require a bond, which bond shall be approved by the officer who has the approval of the principal's bond. Such appointment may be revoked in writing, which appointment and revocation shall be filed in the Auditor's office. The person or persons thus appointed shall qualify by taking the same oath as the principal, endorsed upon the certificate of appointment. The deputy, in the absence or disability of his principal, may perform all the duties of the principal pertaining to his office.

He shall receive a salary of not less than 50% of that of his principal, nor more than \$1500 per year, to be fixed by the board of supervisors, and in case additional deputies and clerks are needed, the board of supervisors may make such allowance therefor as they deem reasonable. Provided that in counties having a population of fifty thousand or over the salary of the first deputy shall be not less than 50% of that of his principal nor more than \$1750 per year to be fixed by the board of supervisors and the salary of the second deputy shall be not less than 50% of that of his principal nor more than \$1500 per year and the salary of

the third deputy shall be 50% of that of his principal. Provided that in counties having within their limits a city of sixty thousand or over the salary of the first deputy and second deputy shall be sixty-five per cent of that of the principal and the salary of the third and fourth deputy shall be 50% of that of the principal and in case additional clerks are needed the salary of such deputies or clerks shall be fixed by the board of supervisors.

Provided further than in counties in which the district court is held in two places, the deputy in charge at the place other than the county seat shall receive the same salary as the first deputy in said county.

SEC. 2. That the law as it appears in section No. 481, supplemental supplement to the code, 1915, as amended by chapter 77 of the acts of the Thirty-seventh General Assembly be and the same is hereby repealed and the following enacted in lieu thereof:

"Each county Auditor may in writing, with the consent of the board of supervisors, appoint one or more deputies not holding a county office, for whose actions he shall be responsible and from whom he shall require a bond, which bond shall be approved by the officer who has the approval of the principal's bond, and such appointment may be revoked in writing; which appointment and revocation shall be filed and kept in the Auditor's office. The person thus appointed shall qualify by taking the same oath as his principal, endorsed upon the certificate of the appointment. The deputy, in the absence or disability of his principal, may perform all the duties of the principal pertaining to his office. He shall receive a salary of not less than 50% of that of his principal, nor more than \$1500 per year, to be fixed by the board of supervisors. In case no deputy shall be appointed, but on account of the pressure of business in his office, the Auditor is compelled temporarily to employ an assistant, he shall file the bill for such services with the board of supervisors at their next regular meeting and the board of supervisors shall make reasonable allowance therefor.

Provided that in counties having a population of fifty thousand (50,000) or over the salary of the first deputy shall be not less than 50% of that of his principal nor more than \$1750 per year to be fixed by the board of supervisors and the salary of the second deputy shall not be less than 50% of that of his principal nor more than \$1500 per year and the salary of the third deputy shall be 50% of that of his principal.

Provided that in counties having within their limits a city of sixty thousand or over the salary of the first and second deputies shall be 65% of that of the principal and the salary of the third and fourth deputies shall be 50% of that of the principal and in case additional deputies or clerks are needed the salary of such deputies or clerks shall be fixed by the board of supervisors.

SEC. 3. That the law as it appears in section four hundred ninety-one (491), supplemental supplement to the code, 1915, as amended by chapter seventy-seven (77) of the Acts of the Thirty-seventh General Assembly,

be and the same is hereby repealed and the following enacted in lieu thereof:

"Each county treasurer may, in writing, with the consent of the board of supervisors, appoint one or more deputies, not holding a county office, for whose Acts he shall be responsible, and from whom he shall require a bond, which bond shall be approved by the officer who has the approval of the principal's bond. Such appointment may be revoked in writing; which appointment and revocation shall be filed and kept in the auditor's office. The person or persons thus appointed shall qualify by taking the same oath as his principal, endorsed upon the certificate of appointment. The deputy, in the absence or disability of his principal may perform all the duties of the principal pertaining to his office."

He shall receive a salary of not less than 50% of that of his principal, nor more than \$1500.00 per year, to be fixed by the Board of Supervisors, and in case additional deputies and clerks are needed, the Board of Supervisors may make such allowance therefor as they deem reasonable.

Provided that in counties having a population of 50,000 or over the salary of the first deputy shall be not less than 50% of that of his principal nor more than \$1750.00 per year to be fixed by the Board of Supervisors and the salary of the second deputy shall be not less than 50% of that of his principal nor more than \$1500.00 per year and the salary of the third deputy shall be not more than 50% of that of his principal to be fixed by the board of supervisors.

Provided that in counties having within their limits a city of 60,000 or over the salary of the first and second deputy shall be 65% of that of the principal and the salary of the third and fourth deputy shall be 50% of that of the principal and in case additional deputies and clerks are needed the salary of such additional deputies and clerks shall be fixed by the Board of Supervisors.

Sec. 4. That the law as it appears in Section four (4) of Chapter seventy-seven (77) of the Acts of the 37th General Assembly be and the same is hereby repealed and the following enacted in lieu thereof: "Each county recorder may, in writing, with the consent of the Board of Supervisors, appoint one or more deputies not holding a county office, for whose acts he shall be responsible and from whom he shall require a bond, which bond shall be approved by the officer who has the approval of the principal's bond. Such appointment may be revoked in writing, such appointment and revocation shall be filed and kept in the auditor's office. The person or persons thus bonded shall qualify by taking the same oath as his principal, endorsed upon the certificate of appointment. The deputy, in the absence or disability of his principal may perform all of the duties of the principal pertaining to his office.

He shall receive a salary of not less than 50% of that of his principal, nor more than \$1500.00 per year, to be fixed by the Board of Supervisors, and in case additional deputies and clerks are needed, the Board of Supervisors may make such allowance therefor as they deem reasonable.

Provided that in counties having a population of 50,000 or over the salary of the first deputy shall be not less than 50% of that of his principal nor more than \$1750.00 per year to be fixed by the Board of Supervisors and the salary of the second deputy shall be not less than 50% of that of his principal nor more than \$1500.00 per year and the salary of the third deputy shall be not more than 50% of that of his principal to be fixed by the Board of Supervisors.

Provided that in counties having within their limits a city of 60,000 or over the salary of the first and second deputy shall be 65% of that of the principal and the salary of the third and fourth deputy shall be 50% of that of the principal and in case additional deputies and clerks are needed the salary of such additional deputies and clerks shall be fixed by the Board of Supervisors.

Sec. 5. That the law as it appears in section five hundred ten-b (510-b), supplemental supplement to the code, 1915, be and the same is hereby repealed and the following enacted in lieu thereof:

"In all counties the sheriff shall in writing appoint one or more persons, not holding a county office, as deputy or deputies, for whose acts he shall be responsible and from whom he shall require a bond, which appointment and bond shall be approved by the officer having the approval of the principal's bond; and such appointment may be revoked in writing, which appointment and revocation shall be filed in the auditor's office. In all cases the board of supervisors shall fix the number of deputies. The salary of the chief deputy shall be sixty-five (65%) per cent of that of his principal but not to exceed \$1800.00 the other deputies to be fixed by the board of supervisors. In counties in which district court is held in two places the first deputy shall receive sixty-five per cent of the salary received by the sheriff. Provided, further that the deputy in charge of the office other than at the county seat shall receive the same salary as that received by the first deputy at the county seat. All deputies shall be paid by the county.

Sec. 6. All increases of salary granted by this act shall cease and determine on June first 1921.

Sec. 7. 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 the Plain Talk, newspapers published in Des Moines, Iowa.

On the question "Shall the Senate concur?" the vote was:

Ayes, 31.

Adams	Foster	Parker
Anderson	Greenell	Pitt
Balkema	Hale	Price
Ball	Haskell	Rainbow
Byington	Kimball	Rule
Edwards	Kimberly	Schaffter
Evans	Meredith	Scott
Fellows	Mitchell	Stephenson

Stoddard  
Taylor  
Thompson

Van Alstine  
White

Whitmore  
Wilson

Nays, 4.

Brookhart  
Buser

Kingland

Nelson

Absent or not voting, 15.

Arney  
Broxam  
Cessna  
Coburn  
Foskett

Frailey  
Holdoegel  
Horchem  
LeCompte  
Newberry

Proudfoot  
Ratcliff  
Reed  
Shane  
Smith

The House amendment, having received a constitutional majority, was declared to have been concurred in by the Senate.

Senator Whitmore moved that the vote by which the Senate concurred in House amendment to Senate File No. 308 be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### MESSAGES FROM THE HOUSE.

The following messages were received from the House:

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

Senate File No. 162, a bill for an act relative to the filing of chattel mortgages and other instruments affecting title to personal property.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 405, a bill for an act relating to exemptions from taxation of property of soldiers and sailors.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 526, a bill for an act relating to powers and duties of Railroad Commissioners.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has stricken the enacting clause from the following bill, in which the concurrence of the House was asked:

Senate File No. 220, a bill for an act prohibiting the sale of cigarettes or cigarette papers to minors.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 431, a bill for an act providing that the right to vote for presidential electors shall not be abridged on account of sex.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, substitute for House File No. 347, in which the concurrence of the Senate is asked:

House File No. 437, a bill for an act fixing the hours females may work.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has concurred in Senate Concurrent Resolution, in which the concurrence of the House was asked, in the interest of the United States War Savings Campaign in Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 312, a bill for an act relating to appropriation for bridge building.

W. C. RAMSAY, *Chief Clerk.*



## BILLS SENT TO THE GOVERNOR.

Senator Schaffter from the committee on enrolled bills submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 18 day of April, 1919, sent to the governor for his approval, Senate File No. 535, a bill for an act to amend section fourteen hundred-t 1 (1400-t 1) of the supplement to the code, 1913, relating to boundaries of capitol extension.

Also:

Senate File 480, a bill for an act to amend the law as it appears in section one hundred sixty-one-a (161-a), supplement to the code, 1913, relating to the settlement with state officers, appointment of expert accountant and assistants, powers of executive council, and to enact a substitute therefor, excluding the management of the institutions under the board of control and board of education therefrom.

Also:

Senate File 212, a bill for an act to repeal section twenty-five hundred thirty-eight-w3 (2538-w3) supplemental supplement to the code, 1915, twenty-five hundred thirty-eight-w4 (2538-w4) supplement to the code, 1913, twenty-five hundred thirty-eight-w5 (2538-w5) of the supplemental supplement to the code, 1915, and sections twenty-five hundred thirty-eight-w6 (2538-w6), twenty-five hundred thirty-eight-w7 (2538-w7) of the supplement to the code, 1913, and sections twenty-five hundred and thirty-eight-w8 (2538-w8) and twenty-five hundred thirty-eight-12 (2538-12) of the supplemental supplement to the code, 1915, and sections twenty-five hundred thirty-eight-w9 (2538-w9) twenty-five hundred thirty-eight-w10 (2538-w10) and twenty-five hundred thirty-eight-w11 (2538-w11) of the supplement to the code, 1913, and to enact substitutes therefor regulating and licensing the manufacture, sale and use of anti-hog-cholera serum and hog-cholera virus and providing penalties for violation of the provisions of this act.

Also:

Senate File 281, a bill for an act defining the crime of criminal syndicalism and prescribing punishment therefor.

Also:

Senate File 124, a bill for an act to repeal the law as it appears in sections four hundred seventy-nine (479), four hundred ninety (490), four hundred ninety-five (495), and five hundred ten-a (510-a) supplemental supplement to the code, 1915, and section one (1) of chapter four hundred twenty-six (426) of the acts of the thirty-seventh general assembly, and section two thousand seven hundred forty-two (2742) supplement to

the code, 1913, and to enact substitutes in lieu thereof, relating to the duties and compensation of county officers.

Also:

Senate File 524, a bill for an act to amend Senate File two hundred and ten (210) as enacted by the thirty-eighth (38) general assembly and approved March 14, 1919, relating to a codification of the laws and the printing and publishing of the code and the reports of the code commission.

Also:

Senate File 238, a bill for an act to amend section three thousand ninety-two (3092), of the code, section three thousand ninety-three (3093) supplement to the code, 1913, and section three thousand ninety-four (3094) supplemental supplement to the code, 1915, and section three thousand one hundred two (3102) of the code relating to the time when a sub-contractor may file a mechanic's lien, owner's liability and discharge thereof, and to sub-contractor's claim after sixty days.

Also:

Senate File 214, a bill for an act to repeal section seven hundred thirty-seven-a (737-a), supplement to the code, 1913, and to enact a substitute therefor empowering the state board of health to draft a code regulating the business of plumbing, requiring all cities, having sanitary sewerage systems or other systems of domestic sewage disposal, including cities acting under commission form of government and special charter cities to regulate the business of plumbing; to make rules and regulations for the installation of same; to create a board of examiners of plumbers in cities having a sanitary sewerage system or other system of domestic sewage disposal; to issue certificates, or licenses, to persons, firms or corporations desiring to engage in the business of plumbing who are properly qualified; to provide for the removal of plumbing installed in violation of the manner prescribed, and providing for punishment for violation of the terms of this act.

Also:

Senate File 304, a bill for an act to empower the board of supervisors to order the destruction of certain papers and records.

Also:

Senate File 516, a bill for an act to authorize the construction of a spur track by the state of Iowa, to the Iowa Soldiers' Home at Marshalltown, Iowa, and to make an appropriation therefor.

Also:

Senate File 518, a bill for an act to legalize certain conveyances heretofore made, purporting to convey real property situated within the in-

corporated town of New Rippey, in Green County, Iowa, and to correct errors in the title thereto.

Also:

Senate File 514, a bill for an act to amend the law as it appears in section eight hundred thirteen (813) of the supplemental supplement to the code, 1915, relating to the giving of notices for bids.

Also:

Senate File 515, a bill for an act to amend the law as it appears in section eight hundred ten (810) of the supplemental supplement to the code, 1915, relating to the publication and posting of notices of hearing on resolution of necessity.

Also:

Senate File 55, a bill for an act to amend the law as it appears in section thirteen hundred sixty-six (1366), supplement to the code, 1913, relative to assessors' books.

Also:

Senate File 513, a bill for an act to amend the law as it appears in section eight hundred twenty-three (823) of the supplement to the code, 1913, relating to the publication and posting of notices of assessment.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### THIRD READING OF BILLS.

On motion of Senator Van Alstine House File No. 386, a bill for an act to make an appropriation to be expended for the protection of the banks of Storm Lake, in accordance with the survey of the Highway commission, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Van Alstine moved that the rules be suspended, and the bill be read a third time now, which motion prevailed, and the bill was read a third time.

Senator Van Alstine invoked rule 8.

On the question, "Shall the bill pass?" the vote was:

## Ayes, 21.

Adams	Horchem	Proudfoot
Anderson	Kimball	Rainbow
Balkema	Kingland	Ratcliff
Byington	LeCompte	Schaffter
Edwards	Newberry	Scott
Evans	Parker	Shane
Fellows	Price	Smith

## Nays, 18.

Ball	Kimberly	Stoddard
Broxam	Meredith	Taylor
Buser	Mitchell	Thompson
Frailey	Reed	Van Alstine
Greenell	Rule	Whitmore
Hale	Stephenson	Wilson

## Absent or not voting, 11.

Arney	Foskett	Nelson
Brookhart	Foster	Pitt
Cessna	Haskell	White
Coburn	Holdoegel	

So the bill, having failed to receive a constitutional majority, was declared to have failed to pass the Senate.

Senator Wilson moved that the vote by which House File No. 386 failed to pass the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

## HOUSE MESSAGE CONSIDERED.

House File No. 437, a bill for an act regulating the number of hours per day females may be employed or permitted to work, and empowering the commissioner of labor to make rules and regulations relative thereto; providing for an appeal from the action of the commissioner of labor and prescribing the penalty for the violation thereof.

Read first and second time and referred to sifting committee.

## MOTION TO RECONSIDER WITHDRAWN.

By unanimous consent, Senator Brookhart withdrew his motion filed to reconsider Senate File No. 56.

By unanimous consent, Senator Anderson withdrew his motion filed to reconsider Senate File No. 367.

Senator Wilson moved that the motion filed to reconsider Senate File No. 120 be laid on the table.

The motion prevailed.

On motion of Senator Whitmore, Senate took a recess for ten minutes.

### THIRD READING OF BILLS.

On motion of Senator Smith Senate File No. 295, a bill for an act to establish three additional normal schools; the location to be determined by the State Board of Education and making appropriations for purchase of sites, erection of buildings and support of schools, with report of committee recommending amendments and passage, was taken up, considered, and the report of the committee adopted.

The following committee amendments were adopted:

Amend Senate File No. 295 by striking out all following the enacting clause and substituting in lieu thereof the following:

"SECTION 1. There shall be established, located and equipped within two years after the taking effect of this act, one elementary state normal school for the purpose of preparing teachers of the grades below the high schools in towns, cities and in rural districts. Such preparation not to exceed two academic years above graduation from an accredited high school or its equivalent.

SEC. 2. Said state normal school shall be located by the state board of education and shall not be located within one hundred miles by nearest railroad of the Iowa State Teachers' College at Cedar Falls.

SEC. 3. For the purpose of carrying into effect the provisions of this act, said state board of education is empowered to accept donations of site and buildings for whatever amount and to whatever extent may seem to be practicable. The location of such site and construction and equipment of buildings thereof, are to be under the control of the said state board of education.

SEC. 4. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the amount of \$200,000 or as much thereof as may be necessary for the purchase of whatever lands may be

necessary as a site for said state normal school and for the construction, repair and equipping of such buildings as may be needed for such school. Not more than \$15,000 of this amount shall be expended for the purchase of land.

SEC. 5. There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the amount of \$35,000 annually, or as much thereof as may be necessary, in the judgment of the state board of education for the equipment, support and maintenance of said state normal school, but no warrants on the support fund shall be drawn until the board of education shall have determined upon the site.

SEC. 6. The appropriations provided for in sections 4 and 5 of this act shall be drawn on the order of the state board of education for such school as needed."

The bill was read for information.

Senator Smith moved that the rules be suspended, the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 30

Adams	Hale	Reed
Ball	Holdoegel	Rule
Brookhart	Horchem	Shane
Buser	Kimball	Smith
Byington	Mitchell	Stephenson
Cessna	Nelson	Stoddard
Coburn	Pitt	Taylor
Edwards	Price	Van Alstine
Fellows	Rainbow	White
Foskett	Ratcliff	Whitmore

Nays, 6.

Arney	Kingland	Meredith
Haskell	LeCompte	Wilson

Absent or not voting, 14.

Anderson	Fralley	Proudfoot
Balkema	Greenell	Schaffte.
Broxam	Kimberly	Scott
Evans	Newberry	Thompson
Foster		

So the bill having received a constitutional majority was declared to have passed the Senate.

Senator Smith offered the following amendment to the title and moved its adoption:

Amend the title to Senate File No. 295 as follows:

By striking from line one the word "three" and substituting in lieu thereof the word "one".

Also by striking out the word "schools" and substituting in lieu thereof the word "school".

Also by striking from line three the word "sites" and substituting in lieu thereof the word "site".

Also by striking from line four the word "schools" and substituting in lieu thereof the word "school".

The amendment was adopted and the title as amended was agreed to.

Senator Smith moved that the vote by which Senate File No. 295 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### CONFERENCE REPORT ON SENATE FILE NO. 497.

MR. PRESIDENT—We, your conference committee to whom was referred Senate File No. 497, beg leave to report that we have had the same under consideration and recommend that the Senate recede from the amendment adopted by it April 11, 1919, and recommend that said bill be amended by adding after the word "voted" in line fourteen of Section Two, the following:

"If the Supreme Governing body approves the plan of transformation, the board of directors or other managing body of such society shall submit the plan to a referendum vote of the members of such society under such regulations as may be prescribed by the Commissioner of Insurance and if the result of such vote shall show that the majority of the members of such society has voted to repeal the action of the Supreme Governing body, then the same shall be considered as repealed by such society and shall be null and of no effect."

E. M. SMITH,  
H. B. MORGAN,  
W. T. EVANS,  
J. K. HALE,  
F. E. THOMPSON,  
SIMON MILLER,  
H. J. MANTZ,  
C. J. LEVALLEY.

## THIRD READING OF BILLS.

On motion of Senator Coburn, House File No. 430, a bill for an act to provide that an upper levee or drainage district shall pay its proportional share of the cost of enlarging, deepening, widening or cleaning out any ditch, drain, watercourse or stream of a lower levee or drainage district into or through which the waters of the upper levee or drainage district flow; and that such upper levee or drainage district shall pay its proportional share of the costs of extending any ditch, drain, watercourse or stream of a lower levee or drainage district, when such extension becomes necessary for a better outlet for the waters of the several districts flowing into or through the stream, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Coburn 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 vote was:

## Ayes, 31.

Arney	Holdoegel	Reed
Brookhart	Horchem	Rule
Byington	Kimberly	Shane
Cessna	LeCompte	Smith
Coburn	Nelson	Stephenson
Edwards	Newberry	Taylor
Evans	Pitt	Van Alstine
Frailey	Proudfoot	White
Greenell	Rainbow	Whitmore
Hale	Ratcliff	Wilson
Haskell		

## Nays, 7.

Anderson	Buser	Meredith
Ball	Kimball	Stoddard
Broxam		

## Absent or not voting, 12.

Adams	Foster	Price
Balkema	Kingland	Schaffter
Fellows	Mitchell	Scott
Foskett	Parker	Thompson



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

Senator Coburn moved that the vote by which Senate File No. 430 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House requests the return of Senate File No. 329.

W. C. RAMSAY, *Chief Clerk.*

On motion of Senator Balkema the request was granted.

#### REPORT OF COMMITTEE.

Senator Foskett, from the committee on appropriations, submitted the following report:

MR. PRESIDENT—Your committee on appropriations, to whom was referred House File No. 243, a bill for an act making appropriations for the construction of buildings at the State University of Iowa, and the Iowa State College of Agriculture and Mechanic Arts, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations to whom was referred House File No. 417, a bill for an act to amend Section 2507 of the Supplemental Supplement to the Code, beg leave to report they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

Also:

Your committee on appropriations, to whom was referred House File No. 314, a bill for an act to reimburse John Miller for services while acting as a member of the Delaware County Guards, beg leave to report

they have had the same under consideration and recommend the same do pass.

H. I. FOSKETT, *Chairman.*

Ordered passed on file.

#### REPORT OF SPECIAL COMMITTEE ADOPTED.

Senator Pitt called up the report of the special committee appointed to investigate matters relative to expenditure of funds of the state of Iowa at the Panama Pacific Exposition.

Senator Pitt moved that the report of the committee be adopted and that the report and all matters connected therewith be referred to the committee on retrenchment and reform for full investigation.

The motion prevailed.

#### CONFERENCE COMMITTEE REPORT ON SENATE FILE NO. 497 ADOPTED.

Senator Proudfoot called up Senate File No. 497 and moved the adoption of the report of the conference committee.

The motion prevailed.

Senator Proudfoot moved that the Senate recede from the following amendment previously adopted:

Amend the House amendment to Senate File No. 497 by adding after the word "voted" in line 14 of section 2 the following:

If the supreme governing body approves the plan of transformation the officers of the Society must within thirty days submit the plan to a referendum vote of the local lodges or camps of such Society. Such referendum vote to be taken in each camp or lodge at the time of the first regular meeting following call for that purpose. Each camp or lodge being entitled to one vote for each beneficial member thereof, present and voting. The officers of the local lodge or camp shall certify to the Supreme governing body the number of votes cast for and against the proposition for transformation. If the majority of the votes are in favor thereof, the matter may be then submitted to the Insurance Commissioner for his final action. If the majority of the votes so cast are against such proposition no further steps shall be taken.

On the question "Shall the Senate recede?" the vote was:

## Ayes, 43.

Anderson	Hale	Proudfoot
Arney	Haskell	Rainbow
Ball	Holdoegel	Ratcliff
Brookhart	Horchem	Reed
Broxam	Kimball	Rule
Buser	Kimberly	Shane
Byington	Kingland	Smith
Cessna	LeCompte	Stephenson
Coburn	Meredith	Stoddard
Edwards	Nelson	Thompson
Evans	Newberry	Van Aistine
Fellows	Parker	White
Foskett	Pitt	Whitmore
Fralley	Price	Wilson
Greenell		

## Nays, none.

## Absent or not voting, 7.

Adams	Mitchell	Scott
Balkema	Schaffter	Taylor
Foster		

## The Senate recessed.

Senator Proudfoot moved that the following conference committee amendment be adopted and concurred in:

We recommend that said bill be amended by adding after the word "voted" in line fourteen of Section Two, the following:

"If the Supreme Governing body approves the plan of transformation, the board of directors or other managing body of such society shall submit the plan to a referendum vote of the members of such society under such regulations as may be prescribed by the Commissioner of Insurance, and if the result of such vote shall show that the majority of the members of such society has voted to repeal the action of the Supreme Governing body, then the same shall be considered as repealed by such society and shall be null and of no effect."

On the question, "Shall the amendment be adopted?" the vote was:

## Ayes, 42.

Anderson	Buser	Foskett
Arney	Byington	Fralley
Balkema	Coburn	Greenell
Ball	Edwards	Hale
Brookhart	Evans	Haskell
Broxam	Fellows	Holdoegel

Horchem	Pitt	Smith
Kimberly	Price	Stephenson
Kingland	Proudfoot	Stoddard
LeCompte	Rainbow	Thompson
Meredith	Hatcliff	Van Alstine
Nelson	Reed	White
Newberry	Rule	Whitmore
Parker	Shane	Wilson

Nays, none.

Absent or not voting, 8.

Adams	Kimball	Scott
Cessna	Mitchell	Taylor
Foster	Schaffter	

So the committee amendment, having received a constitutional majority, was declared to have been concurred in by the Senate.

#### THIRD READING OF BILLS.

On motion of Senator Fellows Senate File No. 469, a bill for an act to amend the law as it appears in Section one (1), chapter two hundred fourteen (214), Acts of the Thirty-seventh General Assembly, and to provide that certain children may be admitted to the hospital of the College of medicine of the State University who are not committed under the provisions of section two hundred fifty-four-c, (254-c) Section two hundred fifty-four-d (254-d), and section two hundred fifty-four-k (254-k), supplemental supplement to the code, 1915, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Fellows 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 vote was:

Ayes, 40.

Anderson	Evans	Kimberly
Balkema	Fellows	LeCompte
Ball	Fralley	Mitchell
Brookhart	Greenell	Nelson
Broxam	Hale	Newberry
Buser	Haskell	Parker
Byington	Holdoegel	Pitt
Coburn	Horchem	Price
Edwards	Kimball	Proudfoot

Rainbow	Shane	Van Alstine
Ratcliff	Stephenson	White
Reed	Stoddard	Whitmore
Rule	Thompson	Wilson

Nays, none.

Absent or not voting, 10.

Adams	Kingland	Scott
Arney	Merrieth	Smith
Cessna	Schaffter	Taylor
Foster		

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

Senator Fellows moved that the vote by which Senate File No. 469 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### REPORT OF RETRENCHMENT AND REFORM COMMITTEE.

MR. PRESIDENT—Your committee on retrenchment and reform desire to report and have printed for the benefit of the state the following matters.

On February 25, 1919, your committee adopted a resolution requesting the adjutant-general to furnish to this committee a statement showing the expenditures made from the one million dollar (\$1,000,000.00) emergency war work fund, and the purposes for which it was expended, and the unexpended balance thereof.

Expenditures for secret service work for the state amounting to \$50,261.53 with itemized account thereof is herein set forth. Expenditures for war purposes amounting to \$310,473.49 and duly itemized is also herein set forth.

With the above we herewith present a letter from Louis G. Lasher, Adjutant-General, commenting upon the same.

Your committee has not had the time or opportunity during the session to make any findings in respect to these expenditures, and they are presenting them for the use of the legislature in the future.

Very respectfully submitted,

CLEM F. KIMBALL, *Chairman*.  
March 17, 1919.

From: The Adjutant General of Iowa.

To: Hon. Clement F. Kimball, Chairman Retrenchment and Reform Committee, State House.

Subject: Resolution Reference to Million Dollar War Fund.

1. Pursuant to request as contained in resolution passed by the retrenchment and reform committee dated February 25, 1919, I submit attached hereto an itemized statement of all funds expended through my department from the million dollar war fund appropriated by the 37th general assembly. This report is in two sections, one of which covers general expenditures and the other, secret service expenditures.

2. In this connection, I desire to call your attention to the following memorandum: The state of Iowa was reimbursed from the United States treasury the sum of \$456,417.89 for expenditures made by the state during the Civil War. The 27th general assembly appropriated \$500,000.00 for war purposes, and of this appropriation there was expended through this office \$149,518.36, and I am informed that claims from the state have been allowed and paid by the United States treasurer through the office of the governor and turned over to the treasurer of the state as follows: March 15, 1899, \$91,483.78; August 27, 1901, \$1,376.39; April 14, 1902, \$24,957.12; December 18, 1902, \$1,095.04; February 2, 1903, \$7,438.18; March 11, 1904, \$20,545.70; making a total of \$146,896.21. I merely call your attention to this memorandum for the purpose of indicating that when the proper time arrives, similar claims will be made covering expenditures from the fund provided during this war, and inasmuch as a precedent has been established, a portion, if not all, should be returned to the state by the federal government.

Louis G. Lasher,  
The Adjutant General.

FUNDS EXPENDED BY THE ADJUTANT GENERAL STATE SECRET SERVICES.

1917.

Aug. 13,	H. V. Yackey, traveling expenses and salary, July....	\$ 135.58
	Oscar Thorson, traveling expenses and salary, July..	144.44
	G. F. Burmeister, traveling expenses and salary, July	117.85
Sept. 4,	Wm. Goodenbour, traveling expenses and salary, Aug.	25.00
	G. F. Burmeister, traveling expenses and salary, Aug.	134.00
	Oscar Thorson, traveling expenses and salary, Aug...	205.33
	H. V. Yackey, traveling expenses and salary, Aug.....	139.93
	D. M. Rubber Stamp Wks., silver badges, secret service .....	40.00
	J. C. Stewart, expenses and salary, Aug.....	145.29
Oct. 8,	T. C. Whitmore, expenses and salary, Aug.....	8.80
	G. F. Burmeister, expenses and salary, Sept.....	138.90
	H. V. Yackey, expenses and salary, Sept.....	151.53
	Oscar Thorson, expenses and salary, Sept.....	224.41
	Wm. Goodenbour, expenses and salary, Sept.....	25.00
Nov. 6,	G. F. Burmeister, expenses and salary, Oct.....	168.25
	Wm. Goodenbour, expenses and salary, Oct.....	25.00
	Oscar Thorson, expenses and salary, Oct.....	192.37
	H. V. Yackey, expenses and salary, Oct.....	162.15
	F. C. Gilmore, expenses and salary, Oct.....	150.55

	A. M. Jackley, expenses and salary, Oct.....	12.96
	J. C. Stewart, expenses and salary, Oct.....	126.55
	23, J. C. Stewart, expenses and salary, Nov.....	174.07
Dec.	3, Pat D. Haley, expenses and salary, Nov.....	125.00
	Ed Chapman, expenses and salary, Nov.....	100.00
	Edw. J. Keenan, expenses and salary, Nov.....	100.00
	Thomas Rimmer, expenses and salary, Nov.....	100.00
	Wm. Goodenbour, expenses and salary.....	25.00
	18, Oscar Thorson, expenses and salary, Nov.....	174.15
	19, G. F. Burmeister, expenses and salary, Nov.....	169.10
	F. C. Gilmore, expenses and salary, Nov.....	214.57
	H. V. Yackey, expenses and salary, Nov.....	159.47
	J. C. Stewart, expenses and salary, Nov.....	77.16
	Fred Ott, salary for period ending Dec. 15.....	100.00
	James P. Farley, salary for period ending Dec. 15....	100.00
	Patrick D. Barrett, salary for period ending Dec. 15..	100.00
	Lloyd Roberts, salary for period ending Dec. 15.....	100.00
1918.		
Jan.	3, Pat D. Haley, salary for Dec.....	125.00
	Ed Chapman, salary for Dec.....	100.00
	Edward J. Keenan, salary for Dec.....	100.00
	Thomas Rimmer, salary for Dec.....	100.00
	Wm. Goodenbour, salary for Dec.....	25.00
	Milton P. Smith, salary for Dec.....	75.00
	J. P. Farley, salary for Dec. 15-28.....	45.15
	J. C. Stewart, salary and expenses, 10 days Dec.....	42.04
	17, Fred Ott, salary Dec. 15 to Jan. 15 incl.....	100.00
	Patrick D. Barrett, salary Dec. 15 to Jan. 15 incl....	100.00
	Lloyd Roberts, salary Dec. 15 to Jan. 15 incl.....	100.00
	Oscar Thorson, salary and expenses, Dec.....	201.90
	F. C. Gilmore, salary and expenses, Dec.....	164.95
	H. V. Yackey, salary and expenses, Dec.....	156.92
	G. F. Burmeister, salary and expenses, Dec.....	132.10
	30, Glenn N. Merry, expenses, state secret service.....	126.88
	Pat D. Haley, salary for Jan.....	125.00
	Ed Chapman, salary for Jan.....	100.00
	Edward J. Keenan, salary for Jan.....	100.00
	Thomas Rimmer, salary for January.....	100.00
	Wm. Goodenbour, salary for Jan.....	25.00
	Milton P. Smith, salary for Jan.....	75.00
	Francis E. Whitley, salary for Jan.....	100.00
Feb.	9, F. C. Gilmore, salary and expenses.....	216.68
	H. C. Yackey, salary and expenses.....	143.23
	19, Fred Ott, salary and expenses, Feb.....	100.00
	Pat D. Barrett, salary and expenses, Feb.....	100.00
	Lloyd D. Roberts, salary and expenses, Feb.....	100.00

	9, Roscoe Saunders, salary and expenses.....	120.85
	W. W. Orrick, salary and expenses, Jan.....	200.00
	G. F. Burmeister, salary and expenses, Jan.....	130.22
	Oscar Thorson, salary and expenses, Jan., 1918.....	197.35
Mar.	2, Pat D. Haley, salary and expenses, Feb.....	125.00
	Ed Chapman, salary and expenses, Feb.....	100.00
	Edward J. Keenan, salary and expenses, Feb.....	100.00
	Thomas Rimmer, salary and expenses, Feb.....	100.00
	Wm. Goodenbour, salary and expenses, Feb.....	25.00
	Milton P. Smith, salary and expenses, Feb.....	75.00
	Mrs. Francis Whitley, salary and expenses, Feb.....	100.00
	W. W. Orrick, salary and expenses, Feb.....	200.00
	8, F. C. Gilmore, salary and expenses, Feb.....	243.32
	12, Wm. Bockes, sheriff, expenses arresting prisoner....	3.90
	G. F. Burmeister, salary and expenses, Feb.....	174.14
	H. V. Yackey, salary and expenses, Feb.....	145.67
	Rev. John C. Orth, salary and expenses, Feb.....	174.60
	Roy H. Yingling, salary and expenses, Feb.....	168.36
	14, Fred Ott, salary Feb. 16-Mar. 15.....	50.00
	Patrick D. Barrett, salary Feb. 16-Mar. 15.....	100.00
	Lloyd D. Roberts, salary Feb. 16-Mar. 15.....	100.00
Apr.	2, Pat D. Haley, salary for March, 1918.....	125.00
	Ed Chapman, salary for March, 1918.....	100.00
	Edward J. Keenan, salary for March.....	100.00
	Thomas Rimmer, salary for March.....	100.00
	Wm. Goodenbour, salary for March.....	25.00
	Milton P. Smith, salary for March.....	75.00
	Mrs. F. E. Whitley, salary for March.....	100.00
	W. W. Orrick, salary for March.....	200.00
	Patrick D. Barrett, salary for March.....	50.00
	Lloyd Roberts, salary for March.....	50.00
	Charles W. Pickering, salary for March.....	125.00
	J. C. Nietzel, salary for March.....	125.00
	J. W. Holmes, salary March 8-31 incl.....	96.15
	J. P. Condon, salary March 4-31 incl.....	115.33
	F. A. Burlingame, salary March 18-31 incl.....	57.50
	Mrs. Kathryn Dye, salary March 1-31 incl.....	80.00
	Mrs. Gertrude Van Gorder, salary March 5-31 incl....	70.77
	Mrs. L. A. Larrimore, salary March 14-31 incl.....	46.15
	10, Glenn N. Merry, expenses, Jan., Feb. and March.....	80.46
	R. C. Saunders, salary and expenses, Feb.....	223.49
	F. C. Gilmore, salary and expenses, March.....	278.24
	John C. Orth, salary and expenses, March.....	224.20
	H. V. Yackey, salary and expenses, March.....	187.38
	G. F. Burmeister, salary and expenses, March.....	216.40
	Roy H. Yingling, salary and expenses, March.....	147.78
	George U. Shipley, salary and expenses, March.....	146.30



	Glenn N. Merry, traveling expenses, Aug., 1917-Mar., 1918 .....	13.94
	G. F. Burmeister, expenses .....	8.00
	10, Matt. Parrott & Sons., supplies—equipping office....	163.03
	Iowa Furniture and Carpet, chair and desk.....	41.85
	Fidler & Chamber, cards, signs, etc.....	22.75
	E. J. Tefft, patent cushion stamps.....	1.05
	D. M. Duplicating Co., secret service commissions....	2.15
	D. M. Daily Capital, classified adv.....	.98
	15, Zoekler-Pritchard Co., supplies—equipping office....	52.53
	Western Elec. Tel., rental of telephone.....	4.45
	Cadwell Trf. and Stg. Co., drayage.....	1.25
May	1, Wm. Goodenbour, salary for April.....	25.00
	Pat D. Haley, salary for April.....	125.00
	Ed Chapman, salary for April.....	100.00
	Edward J. Keenan, salary for April.....	100.00
	Thomas Rimmer, salary for April.....	100.00
	Patrick D. Barrett, salary for April.....	100.00
	Lloyd D. Roberts, salary for April.....	100.00
	Milton P. Smith, salary for April.....	75.00
	E. B. Wilson, salary for April.....	50.00
	Mrs. F. E. Whitley, salary for April.....	100.00
	H. C. Orrick, salary for April.....	153.84
May	1, Charles W. Pickering, salary for April.....	125.00
	J. C. Nietzel, salary for April.....	125.00
	J. W. Holmes, salary for April .....	125.00
	J. P. Condon, salary April 1-16.....	67.30
	F. A. Burlingame, salary for April.....	125.00
	Mrs. Kathryn Dye, salary for April .....	80.00
	Mrs. Gertrude Van Gorder, salary for April.....	80.00
	Mrs. Lillian Larrimore, salary for April.....	80.00
	Mrs. Mildred Guy, salary April 18-30.....	33.85
	Mrs. W. L. Toole, sayary April, 10-30.....	55.39
	W. L. Woodward, salary April, 5-30.....	105.77
	John Foster, salary April, 12-30.....	76.92
May	10, R. C. Saunders, salary and expenses, March.....	247.42
	John C. Orth, salary and expenses, April.....	269.55
	H. V. Yackey, salary and expenses, April.....	185.20
	G. F. Burmeister, salary and expenses, April.....	159.03
	Roy H. Yingling, salary and expenses, April.....	138.59
	Oscar Thorson, salary and expenses, Feb.....	136.59
	Oscar Thorson, salary and expenses, Mar.....	131.78
	E. B. Wilson, miscellaneous expenses, Feb. and Mar. ....	67.33
	George U. Shipley, salary and expenses, April.....	177.81
	Ed Chapman, traveling expenses, April .....	3.42
	Pat D. Haley, traveling expenses, Mar.....	6.15

	Zoeckler-Pritchard Co., set county guides.....	2.00
	George Mullin Co., miscellaneous office supplies.....	56.40
	DeLuxe Sign Co., lettering door.....	1.25
	The Mason City Globe Gaz., 300 tag bills.....	5.75
	Iowa Telephone Co., rental of phone.....	3.40
	T. C. Hanson, sign on window.....	2.50
11,	F. C. Gilmore, salary and expenses, April.....	222.88
	Lafayette Young, Sr., expenses to Washington, D. C.	69.66
14,	L. A. Fisher, expenses and per diem, special agent....	241.41
17,	W. A. Potter, expenses, special investigator.....	265.85
31,	Oscar Thorson, salary and expenses, April.....	163.09
31,	Wm. Goodenbour, salary for May.....	25.00
	Pat Haley, salary for May, 1-10.....	41.66
	Ed Chapman, salary for May.....	100.00
	Milton P. Smith, salary for May.....	75.00
	E. B. Wilson, salary for May.....	50.00
	Mrs. F. E. Whitley, salary for May.....	100.00
	H. C. Orrick, salary for May.....	200.00
	Roy Yingling, salary for May.....	125.00
	J. C. Nietzel, salary for May.....	125.00
	J. W. Holmes, salary for May.....	125.00
	F. A. Burlingame, salary for May.....	125.00
	Mrs. Kathryn Dye, salary for May.....	80.00
	Mrs. Gertrude Van Gorder, salary for May.....	80.00
	Mrs. L. A. Larrimore, salary for May.....	80.00
	Miss Mildred Guy, salary for May.....	80.00
	Mrs. W. L. Toole, salary for May.....	80.00
	W. L. Woodward, salary for May.....	125.00
	John T. Foster, salary for May.....	125.00
	A. R. Stillwagon, salary for May.....	125.00
	Pauline Neufeld, salary for May, 13-31 inclu.....	50.37
June 8,	C. W. Pickering, salary for May.....	125.00
10,	W. A. Size, expenses, special investigator.....	139.50
	L. A. Fisher, expenses, special agent.....	139.50
	George B. Albert, expenses, chief clerk.....	6.51
13,	George U. Shipley, salary and expenses, May.....	183.69
	H. V. Yackey, salary and expenses, May.....	200.65
	John C. Orth, salary and expenses, May.....	278.90
	G. F. Burmeister, salary and expenses, May.....	223.01
	R. C. Saunders, salary and expenses, April.....	233.94
	F. B. Dawson, expenses, May and June.....	125.86
18,	Ed Chapman, traveling expenses, May.....	5.42
	Iowa Tel. Co., Davenport, toll and rental, Mar., Apr. and May.....	13.85
	Iowa Tel. Co., Waterloo, toll and rental, May and Apr.	5.55
	Iowa Tel. Co., Waterloo, toll and rental, Mar. and Apr. ....	10.40

	Iowa Tel Co., Des Moines, toll and rental, Apr. and May .....	10.00
	Iowa Tel. Co., Cedar Rapids, toll and rental, May....	3.00
June 18,	Western Elec. Tel. System, rental for May, 1918....	3.50
	D. M. Rubber Stamp Wks., stamps, free emp. office..	1.00
	Underwood Typewriter Co., repairing machine.....	.50
	Perkins Bros., Co., supplies, free emp. office.....	23.95
	Matt Parrott & Sons Co., supplies, free emp. office..	.40
	Commercial Ptg. Co., supplies, free emp. office....	8.50
	Tribune Pub. Co., supplies, free emp. office.....	8.75
	George A. Mullin Co., supplies, free emp. office....	.80
	Ottumwa Stamp Works, supplies, free emp. office..	22.90
	Roy H. Yingling, supplies, free emp. office.....	2.18
	Iowa Tel. Co., Ottumwa, rental for April.....	3.15
	W. A. Size, travelling expenses, spec. investigator..	135.14
	L. A. Fisher, traveling expenses, spec. investigator....	123.13
27,	Wm. Goodenbour, salary for June, 1918.....	25.00
	Ed Chapman, salary for June, 1918.....	100.00
	Milton P. Smith, salary for June, 1918.....	75.00
	E. B. Wilson, salary for June, 1918.....	50.00
	Mrs. F. E. Whitley, salary for June, 1918.....	100.00
	H. C. Orrick, salary for June, 1918.....	200.00
	Charles Pickering, salary for June, 1918.....	125.00
	J. C. Nietzel, salary for June, 1918.....	125.00
	J. W. Holmes, salary for June, 1918.....	125.00
	F. A. Burlingame, salary for June, 1918.....	125.00
	W. L. Woodward, salary for June, 1918.....	125.00
	John T. Foster, salary for June, 1918.....	125.00
	A. R. Stillwagon, salary for June, 1918.....	125.00
	Roy Yingling, salary for June, 1918.....	125.00
	Kathryne Dye, salary for June, 1918.....	85.00
	Gertrude Van Gorder, salary for June, 1918.....	85.00
	Lillian Larrimore, salary for June, 1918.....	85.00
	Mildred Guy, salary for June, 1918.....	85.00
	W. L. Toole, salary for June, 1918.....	85.00
	Pauline Neufeld, salary for June, 1918.....	85.00
	Jane B. Johnson, salary for June, 1918.....	85.00
July 1,	R. C. Saunders, salary and expenses, May.....	263.94
	Ed Chapman, traveling expenses, June.....	7.75
	F. C. Gilmore, salary and expenses, May.....	234.34
	F. C. Gilmore, salary and expenses, June.....	234.46
	W. A. Size, traveling expenses, spec. inv.....	128.31
	L. A. Fisher, per diem for June.....	135.00
	L. A. Fisher, expenses, spec. investigator.....	92.76
	Oscar Thorson, salary and expenses, May.....	187.58
	Oscar Thorson, salary and expenses, June.....	275.99
	John C. Orth, salary and expenses, June.....	281.30
	G. F. Burmeister, salary and expenses, June.....	150.49

	H. V. Yackey, salary and expenses, June.....	192.88
	F. B. Dawson, expenses, June and July.....	113.56
24,	Wm. Goodenbour, salary for July.....	25.00
	Ed Chapman, salary for July.....	100.00
	Melvin P. Smith, salary for July.....	75.00
	E. D. Wilson, salary for July.....	50.00
	Mrs. F. E. Whitley, salary for July.....	100.00
	H. C. Orrick, salary for July.....	200.00
	F. R. Flinn, salary for July.....	100.00
	C. W. Pickering, salary for July.....	125.00
	J. C. Nietzel, salary for July.....	125.00
	J. W. Holmes, salary for July.....	125.00
	F. A. Burlingame, salary for July.....	125.00
	W. L. Woodward, salary for July.....	125.00
	J. T. Foster, salary for July.....	125.00
	A. R. Stillwagon, salary for July.....	125.00
	Roy Yingling, salary for July.....	125.00
	Kathryn Dye, salary for July.....	85.00
	Gertrude Van Gorder, salary for July.....	85.00
	Lillian Larrimore, salary for July.....	85.00
	Mildred Guy, salary for July.....	85.00
	Mrs. W. L. Toole, salary for July.....	85.00
	Pauline Neufeld, salary for July.....	85.00
	Jane B. Johnson, salary for July.....	85.00
	George B. Albert, salary for July.....	12.50
July 26,	George U. Shipley, salary and expenses, June.....	219.53
	American Express Co., express for April.....	1.24
	Adams Express Co., express for May.....	.53
19,	Ed Chapman, expenses.....	3.42
	Iowa Tel. Co., Waterloo, services for May.....	2.00
	Iowa Tel. Co., D. M., toll services.....	.85
	Iowa Tel. Co., Davenport, toll and rental.....	6.25
	Iowa Tel. Co., Ottumwa, toll and rental.....	7.00
	Iowa Tel. Co., Cedar Rapids, toll and rental.....	3.25
	Iowa Tel. Co., Waterloo, toll and rental.....	4.35
	Iowa Tel. Co., D. M., rental May and June.....	7.00
	Creston Mutual Tel. Co., services for May and June..	6.55
	Western Elec. Tel. Co., services for June, 1918.....	3.50
	LeMars Printing Co., supplies, free emp. bureau....	109.80
	Plain Dealer Pub. Co., posters, filing cases, etc.....	5.20
	George A. Mullin Co., file cases, card sections, etc....	101.59
	Currie Hdwe. Co., pair scissors.....	1.15
	Matt Parrott & Sons Co., rubber stamps and pads..	.55
	Hall-Ekfelt Furn. Co., one desk and chair.....	37.75
	J. C. McDowell, 1 double sign board.....	9.25
	C. F. Kunath Sons, sign contract.....	7.90
	Bruno Zoeckler, letter folders.....	3.50
	The Times Co., one adv., classified.....	1.80

	The Mason City Globe Gaz., one adv. classified, and display ads .....	7.47
	Perkins Bros. Co., printed cards.....	3.00
	Matt Parrott & Sons Co., art metal card sections...	35.75
	Commercial Ptg. Co., art metal cabinets.....	69.55
	Johnston-Sessions Co., steel files and cabinets.....	97.25
	Shores Fuel & Trf. Co., drayage.....	4.25
Aug. 7,	Ed Chapman, traveling expenses, July.....	5.61
16,	Glenn N. Merry, traveling expenses, Mar. to July....	65.56
	R. C. Saunders, salary and expenses for June.....	267.23
	Oscar Thorson, salary and expenses for July.....	136.56
	F. C. Gilmore, salary and expenses for July.....	218.61
	R. C. Saunders, salary and expenses for July.....	275.34
	H. V. Yackey, salary and expenses, July.....	192.62
	F. G. Burnmeister, salary and expenses, July.....	201.93
	John C. Orth, salary and expenses, July.....	271.10
	George U. Shipley, salary and expenses, July.....	217.65
	F. B. Dawson, traveling expenses, July and Aug.....	109.09
20,	Iowa Tel. Co., Davenport, rental and tolls, May, June and July.....	7.65
	Iowa Tel. Co., D. M. rental and toll, May, June and July .....	10.75
	Western Elec. Tel. Co., rental for July .....	5.00
	Iowa Tel. Co., rental for July .....	3.00
	George A. Mullin Co., card cabinet.....	4.00
	The Hickory Furn. Co., office table and twp. desk, etc. ....	48.75
	The Dictaphone Co., letter guides.....	3.20
	The Sioux City Journal, printed cards.....	2.50
	McNamara-Kenworthy Co., county guides.....	2.00
	Creston Mutual Tel. Co., rental and tolls, May, June, July .....	4.05
	Le Mars Printing Co., index cards.....	1.50
	The Mason City Gazette, classified add.....	.25
	Commercial Ptg. Co., index cards.....	10.50
	Chapman Bros., typewriter chair.....	8.10
28,	Wm. Goodenbour, salary for August, 1918.....	25.00
	Ed Chapman, salary for August, 1918.....	100.00
	Milton P. Smith, salary for August, 1918.....	75.00
	E. B. Wilson, salary for August .....	50.00
	Mrs. F. E. Whitley, salary for August.....	100.00
	H. C. Orrick, salary for August.....	200.00
	R. S. Blair, salary for August.....	25.00
	Charles W. Pickering, salary for August.....	125.00
	J. C. Nietzel, salary for August .....	125.00
	J. W. Holmes, salary for August, 1-26.....	197.22
	F. A. Burlingame, salary for August.....	125.00

	Kathryne Dye, salary for August.....	85.00
	Gertrude Van Gorder, salary for August.....	85.00
	Lillian Larrimore, salary for August.....	85.00
	Mildred Guy, salary for August .....	85.00
Aug. 28,	Mrs. W. L. Toole, salary for August.....	85.00
	W. L. Woodward, salary for August.....	125.00
	John T. Foster, salary for August.....	125.00
	A. R. Stillwagon, salary for August.....	125.00
	Roy Yingling, salary for August.....	125.00
	Jane B. Johnson, salary for August.....	85.00
	George B. Albert, salary for August.....	25.00
	Marie V. West, salary for August.....	85.00
	J. S. Wolford, salary for August, 26-31.....	27.78
Sept. 5,	Fred R. Flinn, traveling expenses, July.....	88.73
12,	Robert B. Wallace, traveling expenses, July and Aug..	284.45
	Frank S. Stevens, traveling expenses, August.....	86.99
	G. F. Burmeister, salary and expenses, Aug.....	223.88
	F. R. Flinn, salary and expenses, Aug.....	133.03
	John C. Orth, salary and expenses, Aug.....	276.60
	F. C. Gilmore, salary and expenses, Aug.....	282.60
	R. C. Saunders, salary and expenses, Aug.....	328.93
	H. V. Yackey, salary and expenses, Aug.....	278.21
	George U. Shipley, salary and expenses, Aug.....	163.84
	Oscar Thorson, salary and expenses, Aug.....	224.62
14,	Morrison Printing Co., supplies for Employment Office	108.00
	The Dictaphone Co., file section.....	79.80
	The Bushnell Stationery, office supplies, Emp. Office..	123.45
	Matt Parrott & Sons Co., office supplies Emp. Office...	5.75
	George A. Mullin Co., supplies Emp. Office.....	6.40
	E. J. Tefft, supplies Emp. Office.....	.75
	L. C. Smith, office supplies.....	.50
	Cadwell Trf. & Stg. Co., drayage.....	1.50
	Iowa Tel. Co., Cedar Rapids, rental for August.....	3.00
	Iowa Tel. Co., Waterloo, rental and toll for August....	6.95
	Iowa Tel. Co., Davenport, rental and tolls, August....	7.90
	Iowa Tel. Co., rental for August.....	3.50
	Western Elec. Tel. Co., rental for August.....	3.50
	Creston Mutual Tel. Co., rental for August.....	2.75
17,	H. L. McMillen, traveling expenses.....	10.64
24,	Wm. Goodenbour, salary for Sept.....	25.00
	Ed. Chapman, salary for Sept.....	100.00
	Milton P. Smith, salary for Sept.....	75.00
	Mrs. F. E. Whitley, salary for Sept.....	100.00
	E. B. Wilson, salary for Sept.....	50.00
	H. C. Orrick, salary for Sept.....	200.00
	R. S. Blair, salary for Sept.....	25.00
	C. W. Pickering, salary for ½ month Sept.....	62.50
	J. C. Nietzel, salary for Sept.....	125.00

	F. A. Burlingame, salary for Sept.....	125.00
	Kathryn Dye, salary for Sept.....	85.00
	Gertrude Van Gorder, salary for Sept.....	85.00
	Lillian Larrimore, salary for Sept.....	85.00
	Mildred Guy salary for Sept.....	85.00
	Mrs. W. L. Tooie, salary for Sept.....	85.00
	W. L. Woodward, salary for Sept.....	125.00
	John T. Foster, salary for Sept.....	125.00
	A. R. Stillwagon, salary for Sept.....	125.00
	Roy Yingling, salary for Sept.....	125.00
	Jane B. Johnson, salary for Sept.....	85.00
	George B. Albert, salary for Sept.....	25.00
	Marie V. West, salary for Sept.....	85.00
	J. S. Wolford, salary for Sept.....	125.00
Oct.	9, H. V. Yackey, salary and expenses, Sept.....	229.16
	R. C. Saunders, salary and expenses, Sept.....	251.66
	F. C. Gilmore, salary for Sept. and expenses.....	215.90
	John C. Orth, salary for Sept. and expenses.....	203.55
	G. F. Burmeister, salary and expenses, Sept.....	200.15
	F. R. Flinn, salary and expenses, Sept.....	176.25
	Ed Chapman, traveling expenses, Sept.....	13.28
	14, Oscar Thorson, salary and expenses, Sept.....	200.16
	George U. Shipley, salary and expenses, Sept.....	192.88
	Frank L. Stevens, salary and expenses, Sept.....	150.59
	Iowa Tel. Co. Cedar Rapids, rental and tolls, Sept....	5.15
	Iowa Tel. Co., Davenport, rental and tolls, Sept.....	5.70
	Iowa Tel. Co., Ottumwa, rental and tolls, Sept.....	3.50
	Iowa Tel. Co., Waterloo, rental and tolls, Sept.....	6.55
	Iowa Tel. Co., Des Moines, rental and tolls, Sept.....	3.25
Oct.	9, Creston Mut. Tel. Co., rental and tolls Aug and Sept..	4.70
	Western Elec. Tel. System, rental and tolls, Aug. and Sept. ....	3.50
	E. J. Tefft, stamps and pad.....	2.30
	George A. Mullin Co., steno Note books.....	1.25
	Chapman Bros., table.....	3.50
	Davidson Bros. Co., supplies for Free Emp. Bureau....	41.75
	D. M. Duplicating Co., typewritten letters.....	3.60
	L. C. Smith Bros., repairs to typewriter.....	1.50
	Robert B. Wallace, expenses, tel. and telephones.....	22.05
	15, C. E. Herring, traveling expenses, Sept.....	59.53
	28, Wm. Goodenbour, salary for Oct.....	25.00
	Ed Chapman, salary for Oct.....	100.00
	Milton P. Smith, salary for Oct.....	75.00
	Mrs. F. E. Whitley, salary for Oct.....	100.00
	E. B. Wilson, salary for Oct.....	50.00
	H. C. Orrick, salary for Oct.....	200.00
	R. S. Blair, salary for Oct.....	25.00

	F. A. Burlingame, salary for Oct.....	125.00
	W. L. Woodward, salary for Oct.....	125.00
	John T. Foster, salary for Oct.....	125.00
	A. R. Stillwagon, salary for Oct.....	125.00
	Roy Yingling, salary for Oct.....	125.00
	J. S. Wolford, salary for Oct.....	125.00
	Kathryn Dye, salary for Oct. 1-21 inclusive.....	56.66
	Gertrude Van Gorder, salary for Oct.....	85.00
	Gladys Bixby, salary for Oct.....	85.00
	Mildred Guy, salary for Oct.....	85.00
	Mrs. W. L. Toole, salary for Oct.....	85.00
	Jane B. Johnson, salary for Oct.....	85.00
	Marie V. West, salary for Oct.....	85.00
	George B. Albert, salary for Oct.....	25.00
	Cora Smith, salary for Oct. 28-31 inclusive.....	12.59
Nov. 13,	Robert B. Wallace, expenses, Sept.....	31.64
	F. B. Dawson, expenses, Aug. Sept. and Oct.....	120.70
	Frank L. Stevens, salary and expenses, Oct.....	171.14
	F. R. Flinn, salary and expenses, Oct.....	164.15
	Oscar Thorson, salary and expenses, Oct.....	156.98
	F. C. Gilmore, salary and expenses, Oct.....	258.23
	G. F. Burmeister, salary and expenses, Oct.....	202.78
	H. V. Yackey, salary and expenses, Oct.....	232.61
	R. C. Saunders, salary and expenses, Oct.....	236.33
	John C. Orth, salary and expenses, Oct.....	265.55
	The Monarch Printing Co., supplies Free Emp. Bureau .....	1.25
	F. C. Fish Sign Co., supplies, Free Emp. Bureau.....	2.00
	Johnston-Sessions, Co., supplies, Free Emp. Bureau..	6.50
	Matt Parrott & Sons Co., supplies, Free Emp. Bureau..	1.10
	Louis A. Wrangler, supplies, Free Emp. Bureau.....	.60
	Le Mars Printing Co., supplies, Free Emp. Bureau....	1.50
	W. T. Warwick, supplies, Free Emp. Bureau.....	2.70
	The Bushnell Stationery Co., supplies, Free Emp. Bureau .....	2.00
	E. J. Tefft, supplies, Free Emp. Bureau.....	1.00
	Fidlar & Chambers, supplies, Free Emp. Bureau.....	4.75
	Bruno Zoeckler, supplies, Free Emp. Bureau.....	5.65
	Iowa Tel. Co., Davenport, rental and tolls, Oct.....	5.85
	Iowa Tel. Co., Cedar Rapids, rental and tolls, Oct.....	7.35
	Iowa Tel. Co., Des Moines, rental and tolls, Aug and Sept. ....	2.20
	Iowa Tel. Co., Ottumwa, rental, Oct.....	3.50
	Western Elec. Tel. system, rental and tolls, Oct.....	6.25
	Creston Mutual Tel. Co., rental and tolls, Sept and Oct.	4.10
26,	J. C. Nietzel, salary for Nov.....	125.00
	F. A. Burlingame, salary for Nov.....	125.00
	W. L. Woodward, salary for Nov.....	125.00
	John T. Foster, salary for Nov.....	125.00



	A. R. Stillwagon, salary for $\frac{1}{2}$ month Nov.....	62.50
	Roy Yingling, salary for Nov.....	125.00
	J. S. Wolford, salary for Nov.....	125.00
	Gertrude Van Gorder, salary for $\frac{1}{2}$ month Nov.....	42.50
	Gladys Bixby, salary for Nov.....	85.00
	Mildred Guy, salary for Nov.....	85.00
	Mrs. W. L. Toole, salary for Nov.....	85.00
	Jane B. Johnson, salary for Nov.....	85.00
	Marie V. West, salary for $\frac{1}{2}$ month Nov.....	42.50
Nov. 26,	George B. Albert, salary for Nov.....	25.00
	Cora Smith, salary for Nov.....	85.00
	Wm. Goodenbour, salary for Nov.....	25.00
	Ed Chapman, salary for Nov.....	100.00
	Milton P. Smith, salary for Nov.....	75.00
	Mrs. F. E. Whitley, salary for Nov.....	100.00
	E. B. Wilson, salary for Nov.....	50.00
	H. C. Orrick, salary for Nov.....	200.00
	R. S. Blair, salary for Nov.....	25.00
Dec. 6,	Miss Vivian Hanks, salary, $\frac{1}{2}$ month Nov. Co. of Defense .....	33.25
	H. J. Metcalf, salary $\frac{1}{2}$ month Nov. Co. of Denfense..	62.50
	Marie W. Price, salary $\frac{1}{2}$ month Nov. Co. of Defence..	37.50
	Mary Dahlberg, salary $\frac{1}{2}$ month Nov. Co. of Defense..	37.50
	Ione Hanks, salary month of Nov. Co. of Defense....	75.00
10,	Robt. B. Wallace, expenses for Oct. and Nov.....	8.29
	Glenn N. Merry, expenses July, Aug. and Oct.....	27.45
	George U. Shipley, salary and expenses, Oct.....	238.41
	H. V. Yackey, salary and expenses, Nov.....	230.04
	Frank L. Stevens, salary and expenses, Nov.....	132.20
	John C. Orth, salary and expenses, Nov.....	206.15
	F. R. Flinn, salary and expenses, Nov.....	114.46
	Roy Yingling, traveling expenses, Nov.....	22.40
	G. F. Burmester, salary and expenses, Nov.....	218.34
	R. C. Saunders, salary and Expenses, Nov.....	226.01
	F. C. Gilmore, salary and expenses, Nov.....	201.61
18,	Ed Chapman, expenses, Oct.....	5.58
	Oscar Thorson, salary and expenses, Nov.....	132.69
	Mable McGuire, salary, Sept., Oct., and Nov.....	140.00
	H. J. Metcalf, salary $\frac{1}{2}$ month Dec.....	62.50
	Mrs. H. J. Metcalf, salary $\frac{1}{2}$ month Dec.....	37.50
	Marie W. Price, salary $\frac{1}{2}$ Month Dec.....	37.50
	Mrs. E. Dahlberg, salary $\frac{1}{2}$ month Dec.....	37.50
	Vivian Hanks, salary $\frac{1}{2}$ month Dec.....	37.50
	Western Elec. Tel. services, Sept.....	1.75
	Creston Mutual Tel. Co. services, Oct.....	.30
	Iowa Tel. Co., Ottumwa, rental Oct.....	3.50
	Iowa Tel. Co., Des Moines, rental Aug. Sept. Oct.	

Nov. and tolls.....	34.05
Iowa Tel. Co., Cedar Rapids, rental and tolls, Nov....	7.15
Remington Twp. Co., 1 ribbon.....	.75
Rynerson & Koch, supplies, Free Emp. Bureau.....	6.84
George A. Mullin Co., supplies, Free Emp. Bureau..	1.55
Plain Dealer Pub. Co., supplies, Free Emp. Bureau....	5.20
23, F. A. Burlingame, salary for ½ December.....	62.50
W. L. Woodward, salary for ½ December.....	62.50
John T. Foster, salary for December.....	125.00
Roy Yingling, salary for Dec.....	125.00
J. S. Wolford, salary for Dec.....	125.00
Gladys Bixby, salary for Dec.....	85.00
Mildred Guy, salary for Dec.....	85.00
Mrs. W. L. Toole, salary for Dec.....	85.00
Jane B. Johnson, salary for Dec.....	85.00
Cora Smith, salary for Dec.....	85.00
George B. Albert, salary for Dec.....	25.00
F. B. Dawson, traveling expenses.....	90.49
H. J. Metcalf, salary ½ month Dec.....	37.50
Marie V. Price, salary ½ month Dec.....	37.50
Mary E. Dahlberg, salary ½ month Dec.....	37.50
H. J. Metcalf, salary ½ month Dec.....	62.50
Ione Hanks, salary for December.....	75.00
Vivian Hanks, salary for ½ month Dec.....	30.00

FUNDS EXPENDED BY THE ADJUTANT GENERAL FROM THE MILLION DOLLAR APPROPRIATION.

1917.

June 6, Gen Guy E. Logan, pay rolls for recruiting.....	\$ 5,832.38
Geo. Banta Pub. Co., books for Bat. "B" and "D".....	47.20
Craft Doran Peterson Co., Q. M. clothing for Bat. "A"	432.00
M. Gimel & Sons, Q. M. clothing for Bats. "B" and "D"	111.00
T. Richter & Sons, Q. M. clothing for Bat. "B" and "D"	174.00
Tri-City Tent & Awning Co., Q. M. clothing for Bat. "B" and "D".....	191.80
The Robt. Krause Co., Q. M. clothing for Bat. "B" and "D".....	162.75
Aug. E. Steffen Co., Q. M. clothing for Bat. "B" and "D"	720.00
Sickels & Preston Co., knives and forks for Bat. "B" and "D".....	56.59
Maj. Guy S. Brewer, recruit duty.....	233.33
Emma D. Kasemeier, stenographic work in governor's office.....	100.00
Capt. Clifford Powell, pay roll, men on special duty...	1,245.43
21, Sgt. Geo. E. Dawson, services, recruiting.....	72.50
Garver Hdw. Co., shot gun shells, guard duty.....	1.90
Des Moines Rubber Stamp Works, rubber stamps....	.35
N. D. Ely, organizing artillery.....	298.00

	L. H. Kurtz Co., holster, .38 cal. revolver.....	1.35
	McNamara-Kenworthy Co., 18 column pad.....	1.50
	Capt. Geo. W. Dulany, recruiting Bat. "F".....	66.70
	Sgt. A. W. Van Steenwyk, recruiting service.....	2.50
	Sgt. Geo. T. Kibler, recruit service.....	122.50
	Lt. Chas. J. Heller, recruiting service.....	272.23
	Sgt. A. W. Van Steenwyk, recruiting service.....	30.00
	Lt. Edw. C. Starratt, recruiting service.....	69.34
	Des Moines Coliseum Co., rent for Co. "G".....	113.72
	Western Union Tel. Co., telegrams for May.....	98.92
	Homestead Prtg. Co., tickets for Defense Council....	17.85
26,	Gen. Guy E. Logan, recruiting service, 2nd Inf.....	951.35
	Gen. Guy E. Logan, recruiting service, Med. Det.....	261.77
	Gen. Guy E. Logan, recruiting service, Eng. and S. P..	173.65
	Gen. Guy E. Logan, recruiting service, Battery.....	448.39
	Gen. Guy E. Logan, recruiting service, 3rd Inf.....	692.25
28,	Maj Guy S. Brewer, recruiting service.....	250.09
	Lt. Daniel C. Newquist, recruiting service.....	6.70
	Gen. Guy E. Logan, recruiting service, Troop.....	258.00
	Gen. Guy E. Logan, recruiting service, 3rd Inf.....	659.71
	Gen. Guy E. Logan, recruiting service, 2nd Inf.....	728.70
July	2 Emma D. Kasemeier, stenographic work in governor's office .....	100.00
6,	Herbert P. Antes, registration services.....	97.50
	The Adj. Gen. of U. S. Army, publications.....	501.60
	Des Moines Duplicating Co., recruiting service letters	13.85
	Des Moines Duplicating Co., recruiting service letters	4.95
	Des Moines Prtg. Co., recruiting service letters.....	39.90
	The Killian Co., military stores.....	1,354.59
	Lt. F. H. Hendricks, recruiting duty.....	45.08
	Lt. Chas. Tillotson, recruiting duty.....	27.80
	Gen. Guy E. Logan pay rolls of Co. L, 3rd.....	1,312.67
	Gen. Guy E. Logan, pay rolls of Co. C, 2nd.....	131.50
	Gen. Guy E. Logan, pay rolls, Hdq. Co., 2d.....	36.50
	Gen. Guy E. Logan, pay rolls, Bat. "C".....	174.48
7,	Burt J. Wolcott, recruiting services.....	73.17
10,	Maj. Earl B. Bush, med. services to Wm. E. Boston....	18.00
	Mary Greeley Hospital, med. services to Wm. E. Bos- ton .....	21.25
	Dr. Louis A. Thomas, med. services to Ed Ripple.....	11.50
	Iowa Lutheran Hospital, med. services to L. B. Smith	19.20
	Red Oak Hospital, med. services to Ed Ripple.....	13.00
	Raymond A. Shay, recruiting duty.....	136.37
	Clifford Powell, recruiting duty.....	93.33.
	Western Newspaper Union, supplies for examining recruits .....	7.85

Central Iowa Motor Co., gasoline and oil for 1st Reg.	1.30
Fred'k D. Murray, M. D., physical exams., Bat. "E"...	174.00
14, Gen. Guy E. Logan, pay roll, Iowa F. A.....	1,871.21
16. Gen. Guy E. Logan, pay roll, Field Hospital No. 2....	78.50
Gen. Guy E. Logan, pay roll, Amb. Co. 1 and 2.....	656.82
Gen. Guy E. Logan, pay roll, Co. A, Eng.....	194.44
Gen. Guy E. Logan, pay roll, Troop B.....	1,346.50
Gen. Guy E. Logan, pay roll, Troop D.....	1,288.67
Gen. Guy E. Logan, pay roll, Supply Co., 2nd.....	769.37
Gen. Guy E. Logan, pay roll, Amb. Co. 1 and 2, Field Hospital .....	3,265.27
Gen. Guy E. Logan, pay roll, Hd. M. G. Co. and A, B, F, G, I, K, L.....	9,800.94
Gen. Guy E. Logan, pay roll, Co. C, 2nd.....	2,828.17
Gen. Guy E. Logan, pay roll, Co. D, 2nd.....	1,619.17
Gen. Guy E. Logan, pay roll, Co. E, 2nd.....	1,414.55
Gen. Guy E. Logan, pay roll, Co. H and M, 2nd.....	3,914.09
Gen. Guy E. Logan, pay roll, Co. A and M, 3rd.....	3,065.27
Gen. Guy E. Logan, pay roll, Co. A, 3rd.....	3,305.84
Gen. Guy E. Logan, pay roll, Co. B, D, E, F, G, H, M. G.	7,775.53
Gen. Guy E. Logan, pay roll, Co. I, K, M.....	2,211.48
Gen. Guy E. Logan, pay roll, Bat. A, 1st.....	1,260.16
17, Dr. Jas. D. Lowry, physical exams.....	43.50
Dr. J. F. Aldrich, physical exams, Co. E, 3rd.....	21.00
Dr. Benj. S. Barnes.....	51.75
Dr. M. D. Linehan, physical exams, Co. A, 1st.....	81.75
Dr. Louis A. Thomas, physical exams, Co. M, 3rd....	60.75
Dr. Ben C. Everall, physical exams, Co. B and G, 1st	133.80
Dr. E. H. King, physical exams, Bat. C.....	74.25
Maj. Earl B. Bush, physical exams.....	66.45
Red Cross Drug Co., supplies for vaccination.....	3.50
Maj. John Russell, expense acct. vaccination.....	48.00
Lt. Ralph G. Geiger, instructor Grinnell College.....	133.33
Maj. D. S. Fairchild, Jr., services organizing National Guard .....	108.33
Maj. Earl B. Bush, subsistence for Med. F. A.....	18.00
Capt. Edw. O. Fleur, transportation advanced.....	36.58
Capt. Orville B. Yates, transportation advanced....	4.84
Iowa Telephone Co., services, May and June.....	39.20
Western Union Tel. Co., services, Defense Council...	140.18
Western Union Tel. Co., services, Defense Council...	.60
Des Moines Tent & Awning Co., material and supplies	145.23
Herring Motor Co., material and supplies.....	69.10
Western Newspaper Union, supplies for med. exams	3.30
Bilz Sign Co., supplies for Amm. Train.....	17.25
Dr. Fred'k G. Murray, physical exams.....	46.50
Capt. G. W. Dulany, transportation advanced.....	8.75
Maj. C. B. Robbins, claims contracted, Mob. Order..	179.80

20, Maj. John Russell, meals furnished, Field Hospital No. 1 .....	45.75
Maj. Van Buren Knott, meals furnished, Field Hospital No. 2 .....	112.50
Capt. G. W. Dulany, Jr., expenses, Mob. Bat. F.....	454.03
Capt. Harry Ward, expenses, Mob. Bat. B.....	779.82
Capt. Harry Ward, expenses, Mob. Bat. B.....	459.14
Capt. Frank H. Hendricks, Mob. Supply Co., expenses	40.12
Capt. Frank H. Hendricks, Mob. Supply Co., expenses	3.25
Capt. Frank H. Hendricks, Mob Supply Co., expenses	5.20
Gen. Guy E. Logan, pay roll, 1st F. A.....	1,324.22
Gen. Guy E. Logan, pay roll, 1st Sep. Co.....	1,236.92
Sgt. Geo. E. Dawson, recruiting 3rd Inf.....	60.00
Western Newspaper Union, supplies for making finger print .....	2.05
Red Cross Drug Store, supplies for Capt. Roy Smith	2.55
Iowa Telephone Co., toll calls for May and June....	83.05
Standard Oil Co., supplies for fairgrounds.....	7.47
Lt. Fred'k Roost, expenses, vaccinating troops.....	24.55
Maj. Earl B. Bush, expenses, vaccinating troops.....	70.45
Capt. Ben C. Overall, expenses, vaccinating troops....	27.60
Maj. John Russell, expenses, vaccinating troops.....	31.10
Lt. J. N. Van Meter, expenses, vaccinating troops....	35.40
W. F. Remer, fuel for Co. K, 2nd.....	7.75
The White Yard, fuel for Bat. D.....	15.75
J. L. Smith, fuel for Co. F, 3rd.....	13.50
Iowa State College, fuel for Co. I, 2nd.....	5.25
Capt. Glenn C. Haynes, fuel for Co. D, 3rd.....	16.00
Penlon Wickham Coal Co., fuel for Co. L, 3rd.....	19.80
Iowa Telephone Co., services for Fairchild.....	17.30
25, Capt. Verne E. Hale, subsistence allowance.....	174.40
Capt. Harold J. Smith, subsistence allowance.....	139.20
Capt. Chas. L. Dunn, subsistence allowance.....	273.40
Capt. Edwin B. Lindsay, subsistence allowance.....	784.00
Capt. Arthur M. Martin, subsistence allowance.....	700.00
Capt. E. W. Clark, subsistence allowance.....	712.80
Capt. Henry G. Geiger, subsistence allowance.....	658.80
Capt. Robert Heath, subsistence allowance.....	727.60
Capt. James F. Barton, subsistence allowance.....	651.20
Capt. Robert B. Pike, subsistence allowance.....	668.80
Capt. Walter L. Moore, subsistence allowance.....	357.60
Capt. Jacob B. Koenig, subsistence allowance.....	714.00
Capt. Gordon C. Hollar, subsistence allowance.....	615.60
Capt. Forest E. Collins, subsistence allowance.....	608.80
Capt. Fred'k Roost, subsistence allowance.....	126.00
Capt. Edw. O. Fleur, subsistence allowance.....	361.20
Lt. Chas. Tillotson, subsistence allowance.....	228.00
Capt. Ernie W. Johnson, subsistence allowance.....	38.80
Capt. Chas. W. Alkins, subsistence allowance.....	494.00

	Capt. Harry C. McHenry, subsistence allowance.....	651.60
	Capt. A. J. Horton, subsistence allowance.....	682.80
	Capt. Glenn C. Haynes, subsistence allowance.....	628.40
	Capt. Orville B. Yates, subsistence allowance.....	773.20
	Capt. Chas. J. Casey, subsistence allowance.....	534.40
	Capt. Edw. Stellar, subsistence allowance.....	592.00
	Capt. J. D. Springer, subsistence allowance.....	585.20
	Capt. Allen T. Hupp, subsistence allowance.....	636.40
	Capt. Clifford Powell, subsistence allowance.....	564.40
	Capt. Lloyd D. Ross, subsistence allowance.....	755.60
	Lt. J. H. Dreibelbis, subsistence allowance.....	8.80
	Capt. Frank Sherbourne, subsistence allowance....	428.80
	Capt. Ray A. Yenter, subsistence allowance.....	257.20
	Capt. Milton H. Guile, subsistence allowance.....	444.80
	Capt. Harry Ward, subsistence allowance.....	393.60
	Capt. Ivan Ellwood, subsistence allowance.....	1,082.00
	Capt. Geo. W. Dalany, subsistence allowance.....	572.80
	Capt. Ralph E. Patterson, subsistence allowance....	594.40
	Capt. Marshall Howard.....	248.00
	Capt. Daniel C. Steck, subsistence allowance.....	100.80
	Capt. Ben C. Everall, subsistence allowance.....	42.00
	Maj. Earl B. Bush, subsistence allowance.....	64.00
	Maj. John Russell, subsistence allowance.....	255.20
	Maj. Van Buren Knott, subsistence allowance.....	408.80
	Capt. Roy W. Smith, subsistence allowance.....	491.20
	Capt. J. D. Springer, wood allowance, Co. H, 3rd....	10.40
	Gen. Guy E. Logan, pay rolls, Troops A and C.....	859.27
	Gen. Guy E. Logan, pay rolls, Troop A.....	1,477.67
26.	Maj. Guy S. Brewer, recruiting duty.....	187.50
	Emma D. Kasemeier stenographic work in governor's office .....	100.00
	Herbert P. Antes, registration services.....	60.50
	Lt. E. S. Boudinot, fuel, Supply Co., 2nd.....	18.00
	Standard Chemical Co., supplies, muster in troops....	61.55
30.	Gen. Guy E. Logan, pay rolls, Troop A, B, Hosp'tal..	3,540.63
	Gen. Guy E. Logan, pay rolls, Bat. D and F.....	3,913.43
	Gen. Guy E. Logan, pay rolls, Field Hospitals Nos. 1 and 2 .....	2,739.21
	Gen. Guy E. Logan, pay rolls, Amb. Co. 1 and 2.....	4,482.51
	Gen. Guy E. Logan, pay rolls, 1st Sep. Co.....	2,075.28
	Gen. Guy E. Logan, pay rolls, M. G., Sup., A, B, D, E, F, G, K, M, 3d.....	20,206.53
	Gen. Guy E. Logan, pay rolls, M. G., Sup., A, C, D, E, H, I, L, and Hosp Corps, 2nd.....	17,771.40
	Capt. Harry Ward, transportation advanced.....	89.86
Aug. 2.	Gen. Guy E. Logan, pay roll, H. C., Co. I, 3rd.....	3,121.82
	Gen. Guy E. Logan, pay roll, Co. M, 2nd.....	2,269.46
	Gen. Guy E. Logan, pay roll, Co. C, Eng.....	110.83

Gen. Guy E. Logan, pay roll, Hq. Co., F. A.....	112.78
Gen. Guy E. Logan, pay roll, Co. H, 3rd.....	2,073.94
Gen. Guy E. Logan, pay roll, Co B, 2nd.....	2,700.61
Gen. Guy E. Logan, pay roll, Co. L, 3rd.....	395.36
Red Cross Drug Co., supplies for Amb. Co.....	1.75
Des Moines Duplicating Co., office supplies.....	18.35
Capt. Ory W. Garman, subsistence allowance.....	729.60
Northwestern Hotel, allowance for quarters.....	49.80
Lt. Clarence Green, recruiting service.....	277.67
Brown Camp Hdw. Co., supplies for Amm. Train....	13.43
Sgt. John H. Winterode, services, recruiting.....	137.50
Lt. Chas. Tillotson, fuel allowance.....	6.00
Homer E. Eden, fuel allowance.....	13.50
J. H. Houck, fuel allowance.....	13.50
B. O. Cobb, fuel allowance.....	7.89
Maj. W. S. Conkling, subsistence allowance.....	108.80
Capt. Thomas A. Burcham, expense acct. ....	11.65
Lt. D. C. Newquist, per diem for recruiting Amm. Train .....	21.44
Lt. F. L. Williams, expense, vaccinating troops....	77.20
Harned I. Von Mauer, 5 pr. blankets.....	15.00
Des Moines Drug Co., copper sulphate.....	5.00
Standard Chemical Co., med. supplies, 1st Det....	33.86
Endicott, Johnson Co., shoes for Q. M. Dept.....	12,653.14
Lt. John M. Davey, mileage and allowance.....	9.77
Des Moines Tent & Awning, supplies for motor cars	33.20
Herring Motor Co., supplies for motor cars.....	100.79
Sgt. Mat Houdek, checking Bat. C property.....	30.40
Dr. J. M. Donelan, physical exams.....	59.25
Sgt. Matthew Van Tryfle, checking Bat. C property...	40.80
Dr. Thomas A. Burcham, physical exams, Iowa Amm. Train .....	285.75
Capt. Roy W. Smith, expense, complying with S. O. No. 70 .....	24.76
Lt. Louis T. Curry, expense, complying with S. O. No. 70 .....	37.14
Capt. Geo. W. Dulany, fuel for Bat. F.....	9.60
7, B. F. Bartlett, meals for Iowa Amm. Train.....	5,990.25
Capt. Lloyd C. Dunn, subsistence allowance.....	687.00
Fred W. Steinmeyer, subsistence allowance.....	22.50
Lt. Louis T. Curry, transportation advanced.....	10.88
Lt. Johnson H. Kerr, transportation advanced.....	28.80
Maj. John C. Bradbury, transportation advanced....	5.26
Lt. Elmer Dunkleberg, transportation advanced.....	50.35
C. R. I. & P. Ry., transportation for June.....	47.12
M. & St. L. Ry. Co., transportation for June.....	81.56
The Pullman Co., transportation for June.....	1.50
Keekuk & Des Moines Ry. Co., transportation for June	2.32
C. & N. W. Ry. Co., transportation for July.....	123.86

P. H. McGuire, Agt., freight on small arms ammunition	26.16
Des Moines Prtg. Co., printing special cards.....	28.20
Des Moines Tent & Awning Co., for supplies.....	40.95
Herring Motor Co., supplies for the Dept.....	521.38
Des Moines Prtg. Co., special proof sheet.....	20.35
Iowa Telephone Co., call to Sheldon.....	55
Merchants Transf. Co., freight and drayage.....	144.94
Dr. Jas. M. Donelan, med. services, Co. I, 3rd.....	24.50
Maj. W. S. Conkling, med. services, Co. B, 3rd.....	40.00
Dr L. B. McNaughton, med. services, M. G. Co., 2nd..	26.00
A R. Corey, Sec'y, cleaning Nat'l Guard encampment	99.75
Frank Hazlept, hauling garbage, Co. B, 2nd.....	12.50
Esau Russell, fuel allowance.....	15.00
Gen. Guy E. Logan, misc. allowance, 1st Inf.....	1,450.00
Gen. Guy E. Logan, pay roll, off. not on reg.....	490.00
Gen. Guy E. Logan, pay roll, Co. L, 3rd.....	2,084.86
Gen. Guy E. Logan, pay roll, Co. K and Sup. Co., 2nd	2,556.86
Gen. Guy E. Logan, pay roll, Hq. Det. Brgd.....	210.00
13, Gen. Guy E. Logan, pay roll, Hq., Co. F and G, 2nd..	5,893.79
Waterloo, C. F. & N. Ry., transportation for May and June .....	19.20
C. B. & Q. Ry., transportation for May and June...	318.94
Centerville, Albia & S. Ry., transportation for June..	11.05
Davenport & Muscatine Ry., transportation for July	4.90
Interurban Ry. Co., transportation for July.....	3.20
Lt. Thomas B. Tate,*transportation advanced.....	1.30
Capt. J. D. Springer, transportation advanced.....	22.25
Claude C. Chipman, transportation advanced.....	4.52
Western Newspaper Union, supplies for Dept.....	17.00
Globe Machinery & Supply, supplies for Camp Dodge	18.54
Lyon & Heady, supplies Co. C, Signal.....	1.80
Chas. Hewitt & Sons, supplies Iowa Amm. Train....	11.84
Maj. E. C. Worthington, supplies Iowa Amm. Train..	12.10
Cope Bros., supplies Iowa Amm. Train.....	3.60
Dr. J. W. Sellards, physical exams, Co. F, 3rd.....	27.75
Dr. D. H. Killingsworth, physical exams.....	5.25
Dr. F. S. Williams, physicals exams.....	16.50
Dr. S. A. Spillman, physical exams.....	63.00
Bailey Banks & Biddle, medals, Mexican border service .....	2,250.00
Lt. Chas. Tillotson, per diem.....	5.50
Wm. H. Crawford, per diem.....	17.50
Interstate Fair Asso., fuel for Co. L, 2nd.....	15.75
W. G. Haskell Co., fuel for Bat. E.....	21.25
Capt. Byron Goldthwaite, subsistence allowance.....	446.80
Lt. Harry B. Berry, per diem.....	42.50
Capt. Roy W. Smith, per diem.....	42.33
Lee Gillfillan, per diem.....	17.50
Heilman & Houlihan Hosp., med. services for Co.	



B, 2nd .....	74.12
Dr. D. L. Topping, dental services.....	23.50
Brady Drug Co., med. supplies.....	1.80
Red Cross Drug Co., med. supplies.....	6.40
Dr. Ralph E. Munden, med. supplies.....	7.71
E. R. Squibb & Sons, smallpox vaccine.....	4.80
Citizens Gas & Electric Co., lights and gas for Amb. Co. ....	44.54
Western Union Tel. Co., services for Defense Council	4.36
Postal Tel. Co., services for July.....	.82
Iowa Telephone Co., services for Gen. Allen.....	11.20
Geo. Banta Pub. Co., military publications.....	.60
Geo. U. Harvey, military publications.....	112.16
Adam Express Co., express for July.....	3.00
C. D. Hann & Co., dental supplies.....	85.80
Stephen Walker, feed for horses.....	62.65
J. W. Jenkins Sons Music Co., repairs to 3d Reg. band	25.80
Maj. E. C. Worthington, recruiting duty.....	33.22
Lt. J. H. Dreifelbis, recruiting duty.....	77.78
W. R. Blake Lbr. Co., fuel for M. G. Co., 2nd.....	18.00
Lt W. M Hoffman, per diem.....	19.90
Capt. Harry Ward, transportation advanced.....	96.16
Capt. Allen T. Hupp, transportation advanced.....	55.30
Col. Fred S. Holsteen, transportation advanced.....	28.50
C. & N. W. Ry. Co., transportation for July.....	175.99
Frank J. Donahue, supplies for Co. C, Eng.....	25.50
Carpenter Paper Co., envelopes for Dept.....	12.60
Iowa Dept. of Agriculture, water furnished for July	258.99
J. W. Rose, straw for M. G., 2nd.....	3.15
A. H. Wendell, straw for M. G., 2nd.....	2.10
Dr. C. H. Hanson, med services, M. G., 2nd.....	20.00
T. H. Kenefick, med. services, M. G., 2nd.....	5.55
Smallpage & Indra, med. supplies, M. G., 2nd.....	1.00
Eagle Grove Ice Co., ice furnished.....	3.32
B. H. Clark, drayage for M. G., 2nd.....	10.00
Gen. Guy E. Logan, pay rolls, 3rd and 1st Cav.....	5,432.35
20, Sgt. Voyle H. Hazen, services, recruiting.....	53.25
Maj. E. C. Worthington, recruiting Amm. Train....	275.00
Northwestern Hotel, hotel expenses, recruiting duty	59.35
Brown Camp Hdw. Co., equipment for Co. C, Eng....	61.47
McNamara Kenworthy Co., supplies for Dept.....	21.48
Herring Motor Co., auto and supplies.....	641.50
Herring Motor Co., supplies to fairgrounds.....	12.49
Chas. Hewett & Sons Co., supplies to fairgrounds....	27.25
Standard Chemical Co., supplies to fairgrounds.....	31.60
Des Moines Tent & Awning, blankets and cots for Amm. Train .....	706.50
Des Moines Tent & Awning, supplies to fairgrounds...	29.95
Dr. A. H. Delano, exam. of recruits.....	26.25

	Dr. O. B. Hawley, exam. of recruits.....	36.75
	C. M. & St P. Ry, transportation for May and June	99.09
	C. & N. W. Ry., transportation for June and July....	82.02
	Centerville A. & S. Ry., transportation for July.....	1.30
	Des Moines Duplicating Co., letters for Exemption Board .....	5.25
	Dr. Ben T. Whittacker, professional services.....	38.00
	Dr. B. S. Barnes, professional services.....	75.00
	Drs. Lomas & Williams, physical exams.....	7.25
	Jays, med. supplies .....	29.30
Sept.	4, Gen. Guy E. Logan, pay roll for Maj. Fairchild.....	62.50
	Gen. Guy E. Logan, pay roll for Det. & Tr. C.....	46.70
	Gen. Guy E. Logan, pay roll for Det. and Co. G, 3rd.	123.75
	Gen Guy E. Logan, pay roll for Co. B, Eng.....	818.61
	The Minn. Club, trip to St. Paul.....	7.65
	Gov. W. L. Harding, trip to St. Paul.....	16.54
	Western Union Tel Co., services for Field Hosp. No. 2	42.09
	Western Union Tel. Co., services for Defense Council	49.92
	Sioux City Telephone Co., services for June.....	.50
	Iowa Telephone Co., tolls for May, June and July....	7.35
	Lt. J. F. Cave, transportation advanced.....	8.52
	Ft. Dodge, D. M. & S. Ry., transportation for July...	19.33
	Ill. Central Ry. Co., transportation for June and July	75.04
	Ill. Central Ry. Co., transportation for June and July	8.12
	Interurban Ry. Co., transportation for August.....	1.60
	Interurban Ry. Co., transportation D. M. to Hyperion	70.00
	Interurban Ry. Co., freight for June.....	88.07
	Herring Motor Co., supplies for A. G. O.....	7.07
	Harned & Von Maur, blankets for Sup. Co., F. A.....	15.00
	Garver Hwd. Co., supplies for Am. Train.....	59.43
	Louis Hanson's Sons, steel lockers for Bat. B.....	307.80
	C. D. Hann & Co., general supplies, 3rd Inf.....	19.70
	Capt. H. G. Geiger, expense acct. of Co. E, 2nd....	75.29
Sept.	4, Koch Bros., supplies for Amm. Train.....	3.85
	Des Moines Duplicating Co., supplies for Amm. Train	12.45
	S. Davidson & Bros., supplies for Amm. Train.....	25.08
	Sgt. Mat Houdek, per diem.....	29.60
	Sgt. Matthew VanTryfle, per diem checking prop- erty .....	37.20
	Sgt. Jacob G. Koenig, difference in pay roll.....	7.42
	Capt. Chas. L. Dunn, difference in pay roll.....	49.50
	Maj. S. W. Brookhart, per diem, duty for state.....	41.67
	Brady Transfer & Storage Co., storage for Hq. Co., 2nd .....	29.00
	Lt. O. T. Roberts, transportation advanced.....	17.63
	Lt. R. L. Fullton, expense acct. recruiting.....	29.04
	American Express Co., express for July.....	366.07
	Capt. W. C. Smith, gasoline for Co. M.....	27.51
	Capt. Harry Ward, subsistence for Bat. B.....	4.80

Rochs Bros. Coal Co., fuel for 1st Sep. Co.....	5.10
H. P. Light, fuel for Hq. Co., 3rd.....	13.50
Capt. L. R. Brooks, veterinary services.....	34.00
Dr. R. E. Munden, med. supplies for Bat. E.....	6.35
Dr. J. E. McDonald, med. supplies for Co. D.....	41.00
Lt. F. W. Hubbell, med. supplies for Bat. F.....	1.05
Emma D. Kasemeier, salary for August.....	100.00
C., R. I. & P. Ry., transportation for July.....	238.18
7, Gen. Guy E. Logan, pay roll, Bat. E, Tr. A, Co. C, 2nd .....	3,743.75
M. & St. L. Ry., transportation for July.....	63.52
Wabash R. R. Co., transportation for July.....	2.34
C., St. P., M. & O. Ry., transportation for July.....	4.76
C. M. & St. P. Ry., transportation for May and June..	110.82
Lt. C. S. Lister, transportation advanced.....	3.31
Amos V. Cooper, transportation advanced.....	5.95
Fred'k H. Roost, transportation advanced.....	10.50
Maj. W. S. Conkling, transportation advanced.....	13.71
C. G. W. R. R. Co., transportation for July.....	101.18
Dr. J. S. Ross, dental work.....	7.00
Dr. W. R. Davisson, med. services.....	33.00
Maj. W. S. Conkling, physical exams.....	11.25
Wells Fargo & Co., express for June.....	349.13
Merchants Transfer Co., freight and drayage.....	3.13
Capt. G. W. Dulaney, supplies for Bt. F.....	19.83
Lt. C. W. Cunningham, meals furnished Co. C., Eng.	14.25
Lt. D. C. Newquist, meals furnished Maj. Fairchild..	70.00
Lt. Chas. Tillotson, meals furnished Med. Corps, 1st Det. ....	26.87
Capt. G. W. Dulany, fuel for Bt. F.....	7.00
F. C. Hardy, fuel for Co. A, 3rd.....	9.00
Interstate Live Stock Fair, fuel for Iowa F. H. No. 2.....	8.43
Shenandoah Fair Asso., fuel for Co. E, 3rd.....	23.63
Herring Motor Co., car and supplies for Aug.....	399.41
Latimer Bros. Co., supplies for Co. C, 2nd.....	47.43
Des Moines Tent & Awning Co., supplies and repair work .....	55.18
Koch Bros., supplies for Amm. Train.....	6.55
12, Gen. Guy E. Logan, pay roll, officers Amm. Train....	930.27
Des Moines Duplicating Co., typewritten letters....	5.05
14, C., B. & Q. Ry., transportation for July.....	1,138.72
Lt. C. H. Stephens, transportation adv., Amm. Train	11.51
Remington Typewriter Co., machine for Maj. Conk- ling .....	85.05
C., & N. W. Ry., transportation for July.....	31.19
C. D. & Muscatine Ry., transportation for August..	1.40
Merchants Trans. & Storage Co., transfer and dray-	

	age .....	15.00
	Des Moines Tent & Awning, supplies for the Dept...	30.35
	W. H. Crawford, per diem while on duty.....	17.50
	Dr. J. M. Kilborne, exam. for Co. L, 2nd.....	19.00
	Dr. R. E. Munden, drugs used by Bat. E.....	5.25
	Dr. S. A. Spillman, med. services, vaccinations.....	11.50
	The Churchill Drug Co., drugs for Bat. E.....	22.89
	Standard Chemical Co., drugs for Maj. Conkling....	55.85
	F. E. Myers & Bros., pumps for Sanitary Dept....	97.50
Sept. 14,	Des Moines Bridge & Iron Wks., part payment on contract .....	3,618.77
	Col. Winfred H. Bailey, per diem while on duty.....	9.72
	Capt. Roy W. Smith, subsistence for Amb. Co.....	240.00
	Wallace McKean, chauffeur services for Dr. Sprague	45.00
	C. & N. W. Ry., transportation for Aug.....	32.62
22,	Illinois Central Ry., switching charges.....	3.00
	Great Northern Ry., transportation for July.....	1.22
	C. R. & I. C. Ry., transportation for Sept.....	1.15
	M. & St. L. Ry., transportation for Aug.....	52.63
	W. F. Cody, transportation advanced.....	2.11
	Capt. Leo Goodman, transportation advanced.....	309.28
	Lt. F. H. Roost, armory rent.....	250.20
	Lt. D. G. Sowers, supplies on car, on duty.....	90.00
	Maj. W. S. Conkling, recruiting duty.....	31.40
	Lt. R. E. Munden, vaccinating troops.....	105.56
	Dr. E. E. Richardson, services to Sgt. Emmerson Hess .....	6.00
	The Killian Co., supplies for Bat. E.....	92.80
	Louis Hansen's Sons, supplies for Bat. B.....	19.35
	Capt. Ivan Ellwood, ration allowance .....	93.60
	Iowa Telephone Co., toll calls, June and July.....	153.46
	Adams Express Co., express for Aug.....	1.50
	American Express Co., express for July and Aug...	123.55
26,	Emma D. Kasemeler, salary for Sept.....	100.00
Oct. 3,	Herring Motor Co., supplies for Dept.....	97.75
	C., R. I. & P. Ry., transportation for July.....	425.62
	C. G. Western Ry., transportation for August.....	4.72
	Ft. D., D. M. & S. Ry., transportation for Aug.....	2.92
	Iowa Telephone Co., toll calls, July and Aug.....	62.55
	Iowa Telephone Co., toll calls, June and July....	7.95
	Western Union Tel. Co. telegrams for Aug.....	16.69
	Maj. W. S. Conkling, fund for care of sick.....	600.00
	The Randall Lbr. Co., lumber for Amm. Train.....	66.29
	Rees Gabriel & Co., lumber for Amm. Train.....	16.14
	Garver Hdw. Co., hardware for Amm. Train.....	12.80
	Chas. Hewett & Sons Co., supplies for Amm. Train	33.06
	T. A. Toocy Co., supplies for Amm. Train.....	25.50

	Des Moines Tent & Awning Co., rental, tents, blanket, cots .....	1,005.40
	Remington Typewriter Co., rental machine.....	13.50
	Superior Fixture Co., sign for recruiting.....	5.31
	Gauss & Simons, drugs for Co. E, 3rd.....	27.40
	Capt. J. G. Koenig, supplies for Co. K, 2nd.....	137.84
	The Churchill Drug Co., drugs for Bat. E.....	22.89
	A. S. Kennedy, armory rent, Bat. E.....	122.50
10,	Dr. J. E. McDonald, med. services, Co. D.....	83.50
	Dr. P. B. Cleaves, med. services, Co. M, 2nd.....	9.75
	Dr. E. P. Wickham, med. services.....	57.75
	E. Singmaster, supt. of warehouse No. 2.....	100.00
	Iowa Dept. of Agriculture, water rental, fair grounds, troops .....	342.86
	The Homestead Prtg. Co., printing for governor's office .....	6.50
	Des Moines Duplicating Co., printing for governor's office .....	7.90
	A. J. Gibson & Co., drugs for Tr. A.....	19.20
	Iowa Tel Co., rent of telephones, Bat. E.....	11.90
	Cedar Rapids Gas. Co., supplies for Bat. E.....	4.21
	Geo. J. Roe Trans. Co., straw for Bat. E.....	14.25
	T. J. Lowell Hdw. Co., galvanized stovepipe for Bat. E.....	3.60
	E. K. Larimer Hdw. Co., hardware for Bat. E.....	73.85
	Nyers Bros., hardware for Bat. E.....	1.70
	Limback & Jeffry Lbr. Co., lumber for Bat. E.....	154.38
	Hawkeye Lbr. & Coal Co., lumber for Bat. E.....	3.85
	Cedar Rapids Pump Co., supplies for Bat. E.....	1.66
	Stephanek & Vondracek, supplies for Bat. E.....	11.89
	Will H. Zaizer Spec. Co., supplies for Amm. Train..	22.95
	Garver Hdw. Co., supplies for Amm. Train.....	61.95
	Des Moines Fuel & Lime Co., supplies for Amm. Train .....	7.65
	Chas. Hewett & Sons Co., supplies for Amm. Train	3.20
Oct. 5,	Capt. Roy A. Carnegie, Misc. All. Hq., 1st, 9-30-17....	104.20
	Capt. H. G. Higbee, Misc. All. Supp. Co., 1st, 9-30-17.	104.20
	Capt. C. R. Willey, Misc. All. M. G. Co., 1st, 9-30-17..	104.20
	Capt. C. L. Ellsworth, Misc. All. Co. A, 1st, 9-30-17..	104.20
	Capt. Geo. Wellein, Misc. All., Co. B, 1st, 9-30-177....	104.20
	Capt. John F. Rau, Misc. All. Co. C, 1st, 9-30-17.....	104.20
	Capt. W. A. Meyer, Misc. All. Co. D, 1st, 9-30-17.....	104.20
	Capt. W. A. Beardmore, Misc. All. Co. E, 1st, 9-30-17	104.20
	Capt. J. W. Willimek, Misc. All. Co. F, 1st, 9-30-17..	104.20
	Capt. F. L. Fisher, Misc. All. Co. G, 1st, 9-30-17....	104.20
	Capt. W. F. Gossman, Misc. All., Co. H, 1st, 9-30-17....	104.20
	Capt. H. A. Woellhaf, Misc. All. Co. I, 1st, 9-30-17..	104.20
	Capt. E. L. Hout, Misc. All. Co. K, 1st, 9-30-17.....	104.20
	Capt. E. L. Chase, Misc. All. Co. L, 1st, 9-30-17.....	104.20

Capt. W. C. Smith, Misc. All. Co. M, 1st, 9-30-17....	104.20
Maj. E. L. Martindale, Misc. All. Hosp. Det., 1st, 9-30-17 .....	31.23
Capt. Verne E. Hale, Misc. All. Hq. 2nd, 9-30-17....	83.32
Capt. H. J. Smith, Misc. All. Sup. Co., 2nd, 9-30-17..	83.32
Capt. C. H. Dunn, Misc. All. M. G. Co., 2nd, 9-30-17..	83.32
Capt. O. W. Garman, Misc. All. Co. A, 2nd, 9-30-17..	83.32
Capt. E. B. Lindsey, Misc. All., Co. B, 2nd, 9-30-17....	83.32
Capt. A. M. Martin, Misc. All. Co. C, 2nd, 9-30-17....	83.32
Capt. E. W. Clark, Misc. All. Co. D, 2nd, 9-30-17....	83.32
Capt. H. G. Geiger, Misc. All. Co. E, 2nd, 9-30-17....	83.32
Capt. H. R. Heath, Misc. All. Co. F, 2nd, 9-30-17....	83.32
Capt. J. F. Barton, Misc. All. Co. G, 2nd, 9-30-17....	83.32
Capt. R. B. Pike, Misc. All. Co. H, 2nd, 9-30-17.....	83.32
Capt. W. L. Moore, Misc. All., Co. I, 2nd, 9-30-17....	83.32
Capt. J. G. Koenig, Misc. All. Co. K, 2nd, 9-30-17....	83.32
Capt. G. C. Hollar, Misc. All. Co. L, 2nd, 9-30-17.....	83.32
Capt. F. E. Collins, Misc. All. Co. M, 2nd, 9-30-17....	83.32
Maj. R. P. Fagen, Misc. All. Hosp. Det., 2nd, 9-30-17	26.02
Capt. P. I. Van Order, Misc. All. Hq., 3rd, 9-30-17....	83.32
Capt. E. W. Johnson, Misc. All. Sup. Co., 3rd, 9-30-17	83.32
Capt. E. O. Fleur, Misc. All. M. G. Co., 3rd, 9-30-17..	83.32
Capt. C. W. Aikins, Misc. All. Co. A, 9-30-17.....	83.32
Capt. H. C. McHenry, Misc. All. Co. B, 3rd, 9-30-17..	83.32
Capt. A. J. Horton, Misc. All. Co. C, 3rd, 9-30-17.....	83.32
Capt. G. C. Haynes, Misc. All. Co. D, 3rd, 9-30-17....	83.32
Capt. O. B. Yates, Misc. All. Co. E, 3rd, 9-30-17.....	83.32
Capt. C. G. Casey, Misc. All. Co. F, 3rd, 9-30-17.....	83.32
Capt. Edw. Stellar, Misc. All. Co. G, 3rd, 9-30-17....	83.32
Capt. J. D. Springer, Misc. All. Co. H, 3rd, 9-30-17....	83.32
Capt. L. C. Dunn, Misc. All. Co. I, 3rd, 9-30-17.....	83.32
Capt. A. P. Hupp, Misc. All. Co. K, 3rd, 9-30-17.....	83.32
Capt. Clifford Powell, Misc. All. Co. L, 3rd, 9-30-17..	83.32
Capt. L. D. Ross, Misc. All. Co. M, 3rd, 9-30-17.....	83.32
Maj. W. S. Conkling, Misc. All. Hosp. Det., 3rd, 9-30-17 .....	26.02
Capt. Byron Goldthwaite, Misc. All. Tr. A, Cav., 9-30-17 .....	83.32
Capt. Frank Sherbourne, Misc. All. Tr. B, Cav., 9-30-17 .....	83.32
Capt. Ray A. Yenter, Misc. All. Tr. C, Cav., 9-30-17..	83.32
Capt. Milton H. Guile, Misc. All. Tr. D, Cav., 9-30-17	83.32
Capt. F. G. Luth, Misc. All. Hq. F. A., 9-30-17.....	104.15
Capt. F. J. Schneider, Misc. All., Sup. Co. F. A., 9-30-17 .....	104.15
Capt. L. R. Brooks, Misc. All. Bat. A, 9-30-17.....	124.98
Capt. E. J. McCoy, Misc. All. Bat. B, 9-30-17.....	124.98
Capt. E. A. Roach, Misc. All. Bat. C, 9-30-17.....	124.98
Capt. Harry Ward, Misc. All. Bat. D, 9-30-17.....	104.15

	Capt. I. E. Ellwood, Misc. All. Bat. E, 9-30-17.....	104.15
	Capt. G. W. Dulany, Misc. All. Bat. F, 9-30-17.....	104.15
	Maj. E. B. Bush, Misc. All. Hosp. Det., F. A., 9-30-17	26.02
	Maj. John Russell, Misc. All. F. H. No. 1, 9-30-17....	53.90
	Maj. Van Buren Knott, Misc. All. F. H. No. 2, 9-30-17 .....	53.90
	Lt. F. H. Roost, Misc. All. Amb. Co. No. 1, 9-30-17..	53.90
	Capt. R. W. Smith, Misc. All. Amb. Co. No. 2, 9-30-17	53.90
	Capt. C. L. Strike, Misc. All. Co. A, Eng., 9-30-17....	83.32
Nov.	5, Capt. Marshall Howard, misc. all. Co. B, Eng., 9-30-17	83.32
	Capt. Leon Goodman, misc. all. Co. C, Eng., 9-30-17..	83.32
	Capt. D. E. Steck, misc. all. Co. A, Sig. C., 9-30-17....	83.32
	Lt. DeWitt G. Sowers, misc. all. Hq. Amm. Train, 9-30-17 .....	18.76
	Lt. C. H. Stephens, misc. all. Co. A, Amm. Train, 9-30-17 .....	65.61
	Lt. J. H. Cave, misc. all. Co. B, Amm. Train, 9-30-17..	65.61
	Lt. R. R. Kountz, misc. all. Co. C, Amm. Train, 9-30-17	65.61
	Lt. R. E. Eaton, misc. all. Co. D, Amm. Train, 9-30-17	65.61
	Lt. Hugo Schnabel, misc. all. Co. E, Amm. Train, 9-30-17 .....	65.61
	Lt. O. J. Brown, misc. all. Co. F, Amm. Train, 9-30-17	65.61
	Lt. R. A. Oliver, misc. all. Co. G, Amm. Train, 9-30-17	65.61
	Lt. R. E. McConlogue, misc. all. Co. H, Amm. Train, 9-30-17 .....	65.61
	Lt. R. L. McLaren, misc. all. Co. I, Amm. Train, 9-30-17	65.61
	Lt. C. E. Terrell, misc. all. Co. K, Amm. Train, 9-30-17	65.61
	Lt. Boyd E. Spencer, misc. all. Co. L, Amm. Train, 9-30-17 .....	65.61
	Lt. Norman N. Jones, misc. all. Co. M, Amm. Train, 9-30-17 .....	65.61
1918.		
Jan.	22, Capt. C. L. Ellsworth, misc. all. Co. A, 1st, 12-31-17....	125.00
	Capt. Geo. Wellein, misc. all. Co. B, 1st, 12-31-17....	125.00
	Capt. John F. Rau, misc. all. Co. C, 1st, 12-31-17....	125.00
	Capt. Walter A. Meyer, misc. all. Co. D, 1st, 12-31-17	125.00
	Capt. F. L. Fisher, misc. all. Co. G, 1st, 12-31-17.....	125.00
	Capt. Thos. A. Beardmore, misc. all. Co. E, 1st, 12-31-17	125.00
	Capt. Wm. F. Grossman, misc. all. Co. H, 1st, 12-31-17	125.00
	Capt. Henry A. Woelhaf, misc. all. Co. I, 1st, 12-31-17	125.00
	Capt. Earl L. Hout, misc. all. Co. K, 1st, 12-31-17....	125.00
	Capt. Edw. Chase, misc. all. Co. L, 1st, 12-31-17.....	125.00
	Capt. Wm. C. Smith, misc. all. Co. M, 1st, 12-31-17..	125.00
	Capt. Roy A. Carnegie, misc. all. Hq., 1st, 12-31-17..	125.00
	Capt. H. G. Higbee, misc. all. Sup Co., 1st, 12-31-17	125.00
	Capt. Chas. R. Willey, misc. all. M. G. Co., 1st, 12-31-17	125.00
	Maj. E. L. Martindale, misc. all. Hosp. Corps, 1st, 12- 31-17 .....	31.25

Capt. Paul I. VanOrder, misc. all. Hq., 3rd, 12-31-17..	125.00
Capt. Ernie W. Johnson, misc. all. Sup. Co., 3rd, 12-31-17 .....	125.00
Capt. E. O. Fleur, misc. all. M. G. Co., 3rd, 12-31-17..	125.00
Capt. Chas. W. Atkins, misc. all. Co. A, 3rd, 12-31-17..	125.00
Capt. Harry C. McHenry, misc. all. Co. B, 3rd, 12-31-17	125.00
Capt. Arthur J. Horton, misc. all. Co. C, 3rd, 12-31-17	125.00
Capt. Glenn C. Haynes, misc. all. Co. D, 3rd, 12-31-17	125.00
Capt. Orville B. Yates, misc. all. Co. E, 3rd, 12-31-17	125.00
Capt. Chas. J. Casey, misc. all. Co. F, 3rd, 12-31-17..	125.00
Capt. Edw. J. Stellar, misc. all. Co. G, 3rd, 12-31-17	125.00
Capt. J. D. Springer, misc. all. Co. H, 3rd, 12-31-17..	125.00
Capt. Lloyd C. Dunn, misc. all. Co. I, 3rd, 12-31-17. . . .	125.00
Capt. Allen T. Hupp, misc. all. Co. K, 3rd, 12-31-17..	125.00
Capt. Clifford Powell, misc. all. Co. L, 3rd, 12-31-17..	125.00
Capt. Lloyd D. Ross, misc. all. Co. M, 3rd, 12-31-17..	125.00
Maj. W. S. Conkling, misc. all. Hosp. Det., 3rd, 12-31-17	31.25
Maj. John Russell, misc. all. F. H. No. 1, 12-31-17. . . .	62.50
Maj. Van Buren Knott, misc. all. F. H. No. 2, 12-31-17	62.50
Capt. Roy W. Smith, misc. all. Amb. Co. No. 2, 12-31-17 .....	62.50
Lt. Fred'k Roost, misc. all. Amb. Co. No. 1, 12-31-17	62.50
Capt. Clarence L. Strike, misc. all. Co. A, Eng., 12-31-17 .....	125.00
Capt. Marshall Howard, misc. all. Co. B, Eng., 12-21-17	125.00
Capt. Leon Goodman, misc. all. Co. C, Eng., 12-31-17	125.00
Capt. Ivan Ellwood, misc. all. Bat. E, F. A., 12-31-17	125.00
Capt. Daniel S. Steck, misc. all. Co. A, Sig. C., 12-31-17	125.00
Maj. Earl B. Bush, misc. all. Hosp. Corps, 1st F. A., 12-31-17 .....	31.25
Oct. 10, Lynn Co. Lbr. and Coal Co., supplies for Bat. E. . . . .	47.67
Lesenger Feed Co., supplies for Bat. E. . . . .	2.40
Seick Tent and Awning Co., supplies for Amm. Train	5.25
Merchants Transf. Co., drayage for Sept. . . . .	2.41
Ft. D., D. M. & S. Ry., transportation for July. . . . .	5.16
Illinois Central Ry., transportation for July and Aug. . .	5.16
C., B. & Q. Ry., transportation for July and Aug. . . . .	17.98
Capt. Harry Ward, transportation advanced. . . . .	7.69
W. C. F. & N. Ry., transportation for Aug. . . . .	1.35
Interurban Ry. Co., freight for June, July and Aug. . .	84.32
Gen. Guy E. Logan, pay roll, Maj. Conkling's men. . .	81.25
McNamara-Kenworthy Co., cabinet and guides. . . . .	3.05
S. Slingmaster, salary for half month, Oct. . . . .	100.00
20, Robert Wallace, supplies for Co. B, Eng. . . . .	1,758.88
Western Union Tel. Co., messages for F. H. No. 2. . . . .	3.24
Iowa Telephone Co., bill at arsenal. . . . .	3.45
Iowa Telephone Co., services for Aug. and Sept. . . . .	7.05
C. & N. W. Ry., transportation for Sept. . . . .	13.47
Donald McRae, transportation advanced. . . . .	16.47



	Wilbur L. Geiger, transportation advanced.....	4.03
	Ernest Powell, transportation advanced.....	4.03
	Chas. Koenigsberger & Sons, mule collar and halter ropes .....	22.10
	Bailey Banks & Biddle Co., medals for Mexican border service .....	36.00
	American Express Co., express for Sept.....	31.04
	Grand Ave. Garage, tire patched and changed.....	.60
	Stokes Auto service, supplies to Dr. Witte's car....	8.53
	McNamara-Kenworthy Co., stencil paper.....	7.00
	Beardsley & Wolf, drugs, Co. M, 3rd.....	6.00
	Lt. Claude E. Aborn, inoculating troops.....	16.67
	Dr. Louis A. Thomas, physical exams Co. M, 3rd.....	52.50
	Dr. Ralph E. Munden, physical exams Bat. E.....	61.35
	Dr. R. R. Davisson, physical exams Co. A, 3rd.....	33.00
26.	The M. & St. L. Ry., transportation for Sept.....	.66
	C., M. & St. P. Ry., transportation for June.....	3.74
	C., M. & St. P. Ry., transportation for June and Aug.	22.88
	Capt. J. G. Koenig, transportation advanced.....	16.43
	Maj. Donald McRae, attending N. G. convention....	125.60
	D. M. Electric Co., services at fair grounds .....	13.40
	Iowa Telephone Co., services at fairgrounds.....	15.80
	Iowa Telephone Co., rental long distance phone....	8.00
	Manhattan Oil Co., supplies for Supply Co., 3rd....	4.55
	Crane Co., supplies for Amm. Train.....	85.97
	Dr. F. E. Whitley, med. services, 2nd Inf.....	25.00
	Iowa Lutheran Hospital, med. services, C. W. Adams	314.35
	Herring Motor Co., oil and gasoline, Hosp. Det., 3rd..	5.91
	Hon. A. W. MacFarlane, purchase of uniforms, Ia. Eng.	1,228.54
	Emma D. Kasemeier, salary for Oct.....	100.00
Nov. 10,	Myra McCormick, salary for Oct.....	75.00
	Irene Thorson, salary for Oct.....	57.50
	S. Singmaster, salary, superintending warehouse....	100.00
	Maj. S. W. Brookhart, mustering in Ordnance Dept..	16.67
	Maj. S. B. Philpot, recruiting service.....	20.06
	Bailey Banks & Biddle, 27 Mexican Border badges...	13.50
	Sigmund Eisner Co., uniforms for N. G.....	24,217.35
	C., R. I. & P. Ry., transportation for Aug. and Sept..	94.60
	C. B. & Q. Ry., transportation for Sept.....	4.72
	Pullman Co., Pullman services.....	28.80
	Marshall Leason, transportation advanced.....	3.60
	McNamara-Kenworthy Co., supplies for Dept.....	11.75
	Chas. Hewett & Sons Co., supplies for Amm. Train..	13.25
	Fairbanks Morse & Co., repairs to engine.....	.73
	Iowa Telephone Co., tolls for exemption board.....	.85
	Iowa Telephone Co., messages, examining board.....	7.50
	Western Union Tele. Co., messages, exemption board	2.18
	Adams Express Co., express for Oct.....	.89
	Merchants Trans. Co., freight for Oct.....	.86

	L. J. Wells Livery Co., delivery of mail to P. O.....	150
	D. M. Duplicating Co., letters for governor's office ..	12.75
	D. M. Electric Co., electricity for N. G. camp.....	730.72
	Capt. R. E. Patterson, supplies for Mob. camp.....	179.47
	Iowa Dept. of Agriculture, cleaning up camp, I. N. G...	259.50
	Iowa Dept. of Agriculture, water used, camp, I. N. G...	176.87
	Iowa Dept. of Agriculture, straw used, camp, I. N. G.	76.00
	Herring Motor Co., gas and oil for Sanitary Dept.....	45.24
	Iowa Dept. of Agriculture, electric power for Amm. Train .....	14.81
26,	Myra McCormick, salary for Nov.....	75.00
	Irene Thorson, salary for Nov.....	75.00
	John Fletcher, salary for Nov.....	480.00
	Emma D. Kasemeier, salary for Nov.....	100.00
28,	Orwig & Bair, patent on state flag.....	10.00
	Gov. W. L. Harding, expense acct., Nov.....	51.25
	Carpenter Paper Co., Columbia clasp envelopes.....	12.60
	McNamara-Kenworthy, cards, 500 buff.....	1.45
	Stokes Auto Service, repair and supplies for Sanitary Dept. car .....	19.00
Dec. 3,	Houston Auto Service, 1 light globe.....	35
	Press Taxi Co., entertainment for governor of Minn.	76.00
	Pace Auto Co., storage on Sanitary car.....	60.30
	Iowa Telephone Co., services for governor's office, Aug., Sept. and Oct.....	37.50
	D. M. Club, entertainment for governor of Minn.....	139.50
	Curtis F. Fleming, transportation advanced.....	3.60
	Pullman Co., services to St. Paul.....	4.00
	C., R. I. & P. Ry., transportation for Sept. and Oct...	36.98
	Capt. J. G. Koenig, expense, acct. mobilization.....	127.02
	D. M. Electric Co., electricity, military camp.....	110.08
	Merchants Transf. Co., freight bills.....	7.93
21,	Pullman Co., Pullman services for Oct.....	75.70
	C., M. & St. P. Ry., transportation for Aug.....	7.76
	C., R. I. & P. Ry., transportation for Oct.....	44.84
	Interurban Ry. Co., freight to Camp Dodge.....	.41
	D. M. Prtg. Co., proof sheets.....	7.45
	Homestead Co., services to war recreation board....	95.55
	Adams Express Co., express for July.....	.71
	Adams Express Co., express for Nov.....	1.46
	Iowa Telephone Co., tolls for Oct. and Nov.....	7.05
	Iowa Telephone Co., tolls, rifle range.....	2.60
	Iowa Telephone Co., rental, long distance phone.....	4.00
	Western Union Tel. Co., services, governor's office, Sept., Oct. and Nov.....	91.58
	Maj. J. L. Oakes, toll services for mobilization.....	7.05
	McNamara-Kenworthy Co., index cards.....	1.45
	Lt. Fred'k H. Roost, physical exams, Amb. Co. No. 1..	150.00

	Standard Chemical Co., tongue blades for Sanitary Dept. ....	.35
	Chas. W. Adams, 1 hip brace, member Amm. Train..	40.00
	Underwood Typewriter Co., rental of typewriter.....	6.00
	Sigmund Eisner Co., hats, leggins and breeches.....	2,348.85
	Gen. H. A. Allen, recruiting duty.....	163.33
	Herring Motor Co., supplies for Sanitary Dept.....	32.43
	Western Union Tele. Co., services, July, Aug., Sept., Oct., Nov. ....	298.45
27,	Myra McCormick, salary for Dec.....	75.00
	Irene Thorson, salary for Dec.....	75.00
	Emma D. Kasemeier, salary for Dec.....	100.00
31,	C., R. I. & P. Ry., transportation for Nov.....	4.12
	C. G. W. Ry., transportation for Nov. ....	8.52
	C. & N. W. Ry., transportation for Nov.....	1.50
	Pullman Co., services, Dec.....	27.00
	Interurban Ry. Co., freight charges, Nov. and Dec....	.88
	Dr. J. E. McDonald, physical exams, Co. D, 2nd.....	80.25
	Dr. Jas. D. Lowry, physical exams, Amm. Train.....	6.00
	Dr. J. M. Fettes, physical exams, Co. K, 2nd.....	139.00
	Iowa Telephone Co., messages, Sanitary Dept.....	.70
	Iowa Telephone Co., services for Sept. and Oct.....	18.30
31,	Homestead Prtg. Co., index cards, 50,000.....	80.00
	Dr. Thomas A. Burke, services to Chas. Adams.....	52.50
	Iowa Lutheran Hosp., services to Chas. Adams.....	110.40
	St. Joseph's Mercy Hosp., services to Chas. Adams..	10.50
	Morrison Taxicab Co., entertaining governor of Minn.	3.00
	Herring Motor Co., services for San. Dept.....	28.34
1918.		
Jan. 15,	C., B. & Q. Ry., transportation for Nov.....	2.80
	American Express Co., express for Sept.....	7.59
	Wells Fargo & Co., express for July, Sept., Oct., Dec.	17.31
	Merchants Transf. Co., freight for Dec.....	.50
	Iowa Telephone Co., tolls for Nov. and Dec.....	33.30
	Western Union Tel. Co., messages for Dec.....	10.54
	Ft. Dodge Tent and Awning Co., rental of tents....	95.50
	Dr. M. D. Linehan, physical exams, Co. A, 1st.....	12.75
	Remington Typewriter Co., rental of machine in gov- ernor's office .....	13.00
	Pace Auto Service, storage, material and labor.....	31.30
	Maj. Frank E. Lyman, salary for Dec.....	175.00
	Geo. F. Tucker, government services with draft board	220.00
29,	Maj. Frank E. Lyman, salary for Jan.....	175.00
	Emma D. Kasemeier, salary for Jan.....	100.00
	Myra McCormick, salary for Jan.....	75.00
Feb. 6,	Western Union Tel. Co., services, governor's office....	15.21

Western Union Tel. Co., services for July and Aug...	10.39
Western Union Tel. Co., services for Jan.....	12.25
Cutler Hwd. Co., supplies for Amb. Co. No. 2.....	57.18
Capt. Fred R. Frost, salary and expenses, mustering in N. G. ....	166.00
Maj. Donald McRae, transportation advanced.....	16.47
C., M. & St. P. Ry., transportation for Oct.....	216.85
Ft. D., D. M. & S. Ry., transportation for Dec.....	8.60
C. G. W. Ry., transportation for Dec.....	172.53
Illinois Central Ry. Co., transportation for Dec.....	8.14
American Express Co., express for Aug.....	28.40
Herring Motor Co., services, sanitary Dept.....	4.99
The Homestead Prtg. Co., printing war recreation board .....	8.25
Pace Auto Service Co., storage and services, San. Dept. ....	7.22
Dr. O. B. Hawley, med. services, Co. K, 3rd.....	41.00
Iowa State College, cord wood, Co. I, 2nd.....	10.50
Younker Bros., material for anti-vermin garments....	299.00
Wilkins Bros. Co., material for anti-vermin garments	234.00
Harris-Emery Co., material for anti-vermin garments	94.08
J. Mandelbaum & Son, material for anti-vermin gar- ments .....	49.04
Herring Motor Co., services, San. Dept.....	39.21
Iowa Telephone Co., services, Dec. and Jan.....	10.40
19. Treasurer, city of D. M., claims contracted by board of health .....	974.15
Will Zaizer Spec. Co., conscription cases .....	84.40
C., R. I. & P. Ry., transportation for Dec.....	11.02
C., B. & Q. Ry. Co., transportation for Dec.....	3.34
The Pullman Co., services for Dec. and Jan.....	39.25
D. M. Tent and Awning Co., rental of tents, Amm. Train .....	42.00
21. Maj. Frank E. Lyman, salary for Feb.....	175.00
Emma D. Kasemeier, salary for Feb.....	100.00
Myra McCormick, salary for Feb.....	75.00
Mar. 15, Treasurer, city of D. M., claims contracted, board of health .....	1,833.45
C., R. I. & P. Ry., transportation for Jan.....	17.24
C. G. W. Ry., transportation for Jan.....	4.24
Interurban Ry Co., freight for July.....	40.15
Interurban Ry. Co., freight for Aug.....	17.21
Wilkins Bros. Co., material, anti-vermin garments...	.60
Jennie Edmundson Mem. Hosp., services, Co. F and I, 3rd .....	109.70
Maj. L. J. Rowell, expenses, mustering troops.....	6.27
Press Taxi, governor and party, military affairs.....	4.00
Western Union Tel. Co., services for Feb.....	5.10

13, Herring Motor Co., supplies, San. Dept.....	42.54
D. M. Tent and Awning Co., rental of cots, etc., Co. C, Eng.....	234.50
23, Maj. Frank E. Lyman, salary for March.....	175.00
Emma D. Kasemeier, salary for March.....	100.00
Myra McCormick, salary for March.....	75.00
Apr. 2, Capt. Gordon C. Hollar, transportation advanced....	15.32
C. G. W. Ry., transportation for Jan.....	36.34
C., R. I. & P. Ry., transportation for Feb.....	2.84
Wilkin Bros. Co., material, anti-vermin garments....	6.55
Adam Begg., material, anti-vermin garments.....	22.94
Strauss Drygoods Co., material, anti-vermin garments	104.38
D. M. Tent and Awning Co., rental of cots and blan- kets .....	6.00
Merchants Transf. and Storage, drayage.....	5.63
Peoples Light Co., lights for Bat. B.....	70.77
Dr. G. N. Skinner, physical exams, Co. A, 3rd.....	34.50
Herring Motor Co., Upkeep of San. Dept. car.....	26.20
6, The Homestead Prtg. Co., record cards, war recreation board .....	31.00
Western Union Tel. Co., services for March.....	2.91
C., B. & Q. Ry., transportation for Feb.....	7.32
Maj. C. B. Robins, misc. all. Hq. Co., 1st, Dec. 31....	18.31
11, The Commanding Officer, misc. all. Hq. Co., 3rd, Mar. 31 .....	125.00
The Commanding Officer, misc. all. Sup. Co., 3rd, Mar. 31 .....	125.00
The Commanding Officer, misc. all. M. G. Co., 3rd, Mar. 31 .....	125.00
The Commanding Officer, misc. all. Co. A, 3rd, Mar. 31 .....	125.00
The Commanding Officer, misc. all. Co. B, 3rd, Mar. 31 .....	125.00
The Commanding Officer, misc. all. Co. C, 3rd, Mar. 31 .....	125.00
The Commanding Officer, misc. all. Co. D, 3rd, Mar. 31 .....	125.00
The Commanding Officer, misc. all. Co. E, 3rd, Mar. 31 .....	125.00
The Commanding Officer, misc. all. Co. F, 3rd, Mar. 31 .....	125.00
The Commanding Officer, misc. all. Co. G, 3rd, Mar. 31 .....	125.00
The Commanding Officer, misc. all. Co. H, 3rd, Mar. 31 .....	125.00
The Commanding Officer, misc. all. Co. I, 3rd, Mar. 31 .....	125.00

	The Commanding Officer, misc. all. Co. K, 3rd, Mar. 31 .....	125.00
	The Commanding Officer, misc. all. Co. L, 3rd, Mar. 31 .....	125.00
	The Commanding Officer, misc. all. Co. M, 3rd, Mar. 31 .....	125.00
	The Commanding Officer, misc. all. Hosp. Det., 3rd, Mar. 31 .....	31.25
	Interurban Ry. Co., freight on ord. stores.....	2.97
15,	Davenport Bag and Paper Co., wrapping paper.....	4.28
	J. H. C. Petersen's Sons, material, vermin-proof gar- ments .....	549.93
	M. L. Parker Co., material, vermin-proof garments...	90.77
	Mrs. N. D. Ely, material, vermin-proof garments....	4.20
	Aug. E. Steffan Co., material, vermin-proof garments..	10.00
	Harned & VonMaur, material, vermin-proof garments	8.78
23,	Maj. Frank E. Lyman, salary for April.....	175.00
	Emma D. Kasemeier, salary for April.....	100.00
	Myra McCormick, salary for April, 1st to 23rd.....	57.69
May	1, Herring Motor Co., services, San. Dept.....	39.84
	Treasurer, city of D. M., claims, board of health....	1,027.55
	Thos. A. Heard, Jr., M. D., physical exams, Co. D, 4th .....	74.25
	N. D. Ely, express on anti-vermin garments.....	32.44
	Charlotte W. Eastman, expense, anti-vermin garments	103.33
8,	Dr. Thos. A. Burke, services to Chas. Adams.....	16.50
	Dr. Frank E. Foulk, physical exams, Co. B, 4th.....	52.50
	Iowa Telephone Co., services, Feb., March, April....	6.70
	Western Union Tel Co., services for April.....	4.42
	C., B. & Q. Ry., transportation for Feb. and March..	60.80
27,	Maj. Frank E. Lyman, salary for May.....	175.00
	Emma D. Kasemeier, salary for May.....	100.00
	Katheryn Doughrity, salary for May.....	75.00
June	5, Dr. M. B. Stine, phys. exam. Co. B, 4th.....	18.00
	Dr. M. A. Royal, physical exams, Co. B, 4th.....	18.75
	Lt. Carl E. Bosley, vaccinating troops.....	6.60
	Herring Motor Co., services, San. Dept.....	61.81
	Homestead Prtg. Co., war recreation board.....	50.00
June	5, Seick Tent & Awning Co., 1 cot.....	6.00
	Dept Q. M., refund to Federal Government.....	49.25
	1st Sep. Co., claims, mobilization.....	174.37
	Allen Peterson, computing draft quotas.....	10.00
	Western Union Tel. Co., messages during May.....	3.02
26,	Maj. Frank E. Lyman, salary for June.....	175.00
	Emma D. Kasemeier, salary for June.....	100.00

	Katheryn Doughrity, salary for June.....	75.00
	Charlottee W. Eastman, packing and shipping anti-vermin garments .....	104.59
	Western Union Tel. Co., messages, Governor's office..	11.35
	Iowa Telephone Co., tolls, Jan., Feb., Mar., April, Gov's Office .....	32.35
	C. N. W. Ry., transportation for May.....	100.30
	Capt. A. E. Felker, Misc. all., Bat. A. 2nd F. A., 12-31..	56.61
	Capt. Samuel A. Greene, Misc. All., Co. A. 4th, 12-31..	35.54
	Capt. Ira L. Storm Misc. All., Co. D. 4th 12-31.....	19.23
	Capt. Taylor E. Saxton Misc. All., Co. B. 4th, 12-31....	36.71
	Geo. Banta Pub. Co., books for guard companies.....	93.80
July	8, The Commanding Officer, Misc. All., Hq. Co., 3rd, 6-30-18 .....	125.00
	The Commanding Officer, Misc. All., Sup. Co., 3rd, 6-30-18 .....	125.00
	The Commanding Officer, Misc. All., M. G. Co. 3rd, 6-30-18 .....	125.00
	The Commanding Officer, Misc. All., Co. A. 3rd, 6-30-18 .....	125.00
	The Commanding Officer, Misc. All., Co. B. 3rd, 6-30-18 .....	125.00
	The Commanding Officer, Misc. All., Co. C. 3rd, 6-30-18 .....	125.00
	The Commanding Officer, Misc. All., Co. D. 3rd, 6-30-18 .....	125.00
	The Commanding Officer, Misc. All., Co. E. 3rd, 6-30-18 .....	125.00
	The Commanding Officer, Misc. All. Co. F. 3rd, 6-30-18 .....	125.00
	The Commanding Officer, Misc. All., Co. G. 3rd, 6-30-18 .....	125.00
	The Commanding Officer, Misc. All., Co. H. 3rd, 6-30-18 .....	125.00
	The Commanding Officer, Misc. All., Co. I. 3rd, 6-30-18	125.00
	The Commanding Officer, Misc. All., Co. K. 3rd, 6-30-18	125.00
	The Commanding Officer, Misc. All., Co. L. 3rd, 6-30-18	125.00
	The Commanding Officer, Misc. All., Co. M. 3rd, 6-30-18	125.00
	The Commanding Officer, Misc. All., Hosp. Det. 3rd 6-30-18 .....	31.25
18,	Lt. Gov. E. R. Moore, expenses, trip to Washington..	18.25
	Herring Motor Co., up-keep of San. Dept. car.....	31.76
	Dr. Jas. D. Lawry, physical exams. Co. E. 4th.....	36.75
	Dr. Geo. B. Palmer, physical exams. Co. E. 4th.....	12.00
	Dr. J. S. Gaumer, physical examins. Bat. A. 4th.....	3.75
	Geo. Banta Pub. Co., books for N. G. companies.....	39.21
23,	Maj. Frank E. Lyman, salary for July.....	175.00
	Emma D. Kasemeler, salary for July.....	100.00

	Katheryn Doughrity, salary for July.....	75.00
Aug. 12,	Capt. Taylor E. Saxton, expenses, recruiting Co. B. 4th C. R. I. & P. Ry., transportation for May.....	40.65 47.44
	Ft. D. D. M. & S. Ry., transportation for June.....	2.58
	Iowa Lutheran Hospital services, Chas. W. Adams..	14.90
	Dr. C. P. Smith, physical exams. Co. C. 4th.....	30.00
	D. M. Prtg. Co., supplies for Dept.....	29.50
	Homestead Prtg. Co., envelopes and letterheads.....	131.30
	Herring Motor Car Co., up-keep of San. Dept. car.....	18.86
	Charlotte W. Eastman, shipment of cootie garments..	102.11
27,	Maj. Frank E. Lyman, salary for Aug.....	175.00
	J. P. Blaise, salary for Aug.....	100.00
	Ione Poland, salary for Aug.....	75.00
Sept. 5,	Jean Chamberlain, salary for Aug.....	20.00
	Homestead Prtg. Co., Prtg. War Camp Community Service .....	65.50
	Herring Motor Co., up-keep of San. Dept. car.....	45.24
	Postal Tel. Co., messages, Aug.....	6.54
	Geo. Banta Pub. Co., books for N. G.....	2.98
	Capt. Fred R. Frost, recruiting Cos. E and F. 4th.....	178.42
	Capt. Wm. M. Wildman, treating Cos. F. and G.....	17.25
	Treasurer, City of D. M., claims, Board of Health....	11,140.08
Sept. 17,	Dr. G. T. McCauliff, med. serv. mob.....	20.00
	Western Union Tel. Co., message, Aug.....	8.10
	Geo. Banta Pub. Co., military books.....	346.90
	D. M. Duplicating Co., circular letters.....	15.00
	Capt. Samuel A. Greene, Misc. All., Co. A. 4th. 6-30-18	179.43
Sept. 17,	Capt. Taylor E. Saxton, Misc. All., Co. B. 4th, 6-30-18.\$	189.25
	Lt. John G. Turner, Misc. All., Bat. A. 2nd, 6-30-18....	389.35
24,	Maj. Frank E. Lyman, salary for Sept.....	200.00
	J. P. Blaise, salary for Sept.....	100.00
	Ione Poland, salary for Sept.....	75.00
	Jean Chamberlain, salary for Sept.....	20.00
Oct. 7,	Ruth Brown, salary for Sept.....	5.00
	John Ruhl, express, box records.....	2.71
	C. S. Walker, chr. M. T. C. A., expenses, M. T. C. A. of U. S. ....	442.19
	Dr. Wm. M. Wildman, professional services.....	178.00
	Mrs. F. C. Eastman, shipping cootie garments.....	210.48
	Herring Motor Co., services San. Dept.....	27.43
	Geo. Banta Pub. Co., books for Dept.....	3.00
	Iowa Tel. Co., tolls for July and Aug.....	16.85
28,	Col. Frank E. Lyman, salary for Oct.....	200.00
	Emma D. Kasemeier, salary for Oct.....	100.00
	Ione Poland, salary for Oct.....	75.00



	Jean Chamberlain, salary for Oct.....	20.00
	Ruth Brown, salary for Oct.....	10.00
Dec.	25, Col. Frank Lyman, salary for Nov .....	200.00
	Emma D. Kasemeir, salary for Nov.....	100.00
	Ione Poland, salary for Nov.....	75.00
	27, John Ruhl, express on Battery equipment.....	6.00
	Herring Motor Co., services, Public Health Dept.....	2.93
	Rood Garage Co., supplies and repairs.....	109.11
Dec.	20, Col. Frank E. Lyman, salary for Dec.....	200.00
	Emma D. Kasemeier, salary for Dec.....	100.00
	Ione Poland, salary for Dec.....	75.00
1919.		
Jan.	2, Charlotte W. Eastman, making and treating cootie garments .....	49.94
	24, The Homestead Prtg Co., placards, War Camp Community Service.....	32.50
	Rood Garage Co., services, San. Dept.....	116.10
	27, Col. Frank E. Lyman, salary for Jan.....	200.00
	Emma D. Kasemeier, salary for Jan.....	100.00
	Ione Poland, salary for Jan.....	75.00
	30, Chamber of Commerce, Council Bluffs, freight and drayage .....	185.09
Feb.	9, Rood Garage Co., services, San. Dept.....	62.50
	25, Col. Frank E. Lyman, salary for Feb.....	200.00
	Emma D. Kasemeier, salary for Feb.....	108.33
	Ione Poland, salary for Feb.....	75.00
	Homestead Prtg. Co., letterheads for War Camp Community Service .....	5.75
		\$310,473.49

## 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. 437, a bill for an act providing for the admission to probate wills of decedents by clerks of the district court.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 371, a bill for an act abolishing the State Hospital for inebriates at Knoxville, Iowa.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 329, a bill for an act regulating traffic in and licensing dealers in eggs.

W. C. RAMSAY, *Chief Clerk.*

### THIRD READING OF BILLS.

On motion of Senator Anderson House File No. 243, a bill for an act making appropriations for the construction of buildings at the State University of Iowa and the Iowa State College of Agriculture and Mechanic Arts, with report of appropriation committee recommending passage, was taken up, considered, and the report of the committee adopted.

The bill was read for information.

Senator Anderson 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 vote was:

Ayes, 41.

Anderson	Greenell	Ratcliff
Arney	Hale	Reed
Balkema	Haskell	Rule
Ball	Holdoegel	Scott
Brookhart	Horchem	Shane
Broxam	Kingland	Smith
Buser	LeCompte	Stephenson
Byington	Meredith	Stoddard
Coburn	Mitchell	Taylor
Edwards	Parker	Van Alstine
Evans	Pitt	White
Fellows	Price	Whitmore
Foskett	Proudfoot	Wilson
Fralley	Rainbow	

Nays, none.

Absent or not voting, 9.

Adams  
Cessna  
Foster

Kimball  
Kimberly  
Nelson

Newberry  
Schaffter  
Thompson

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

Senator Anderson moved that the vote by which Senate File No. 243 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### CONCURRENT RESOLUTION.

Senator Greenell offered the following resolution:

*Be It Resolved by the Senate of the Thirty-eighth General Assembly, the House concurring, that*

*Whereas, on Saturday, March 15, 1919, at Sioux City, Iowa, the citizens of said city, through its Joint Good Roads Committee of the Commercial Club, Real Estate Board, Rotary Club and Motor Trades Bureau, entertained the members of the General Assembly in a manner which reveals the broad, generous and progressive spirit of said citizens, and*

*Whereas, the members of the General Assembly were afforded an exceptional opportunity to inspect the state's best hard roads and become better informed on one of the great problems of the people of this state, and*

*Whereas, the visit to said city was pleasant, instructive and in every way beneficial to the General Assembly,*

*Now, Therefore, Be It Resolved, that the Thirty-eighth General Assembly hereby makes it known that it sincerely appreciates the enterprise and hospitality of the people of said city and congratulates them on their splendid buildings, beautiful parks, well paved roads and streets, their successful commercial enterprises and above all for their unsurpassed schools and other institutions devoted to the social and moral welfare of those both within and without their gates; and that the General Assembly as an appreciation begs leave to present the said city a loving cup together with the good will of the people of a great state through its assembled representatives; that a copy of this resolution be printed in the journal of the Senate and House and that an enrolled copy thereof accompany the loving cup.*

*Senate Committee—*

W. J. GREENELL,  
GEO. F. COBURN;

*House Committee—*

W. F. ALLYN,  
C. J. LEVALLEY.

On motion of Senator Whitmore, Senate took a recess for ten minutes.

### THIRD READING OF BILLS.

On motion of Senator Price House File No. 169, a bill for an act to amend Section fifteen hundred twenty-seven s-7 (1527-s 7), supplement code, 1913, relative to the removal of Government or established corners and providing a penalty therefor, with report of sifting committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question "Shall the bill pass?" the vote was:

Ayes, 38.

Adams	Foster	Price
Anderson	Frailey	Rainbow
Arney	Greenell	Ratcliff
Balkema	Haie	Reed
Ball	Haskell	Rule
Broxam	Holdoegel	Schaffter
Buser	Horchem	Scott
Byington	Kimball	Smith
Cessna	Kimberly	Stephenson
Coburn	LeCompte	Stoddard
Edwards	Meredith	Taylor
Evans	Nelson	Whitmore
Fellows	Newberry	

Nays, 3.

Mitchell	Thompson	Wilson
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Absent or not voting:

Brookhart	Parker	Shane
Foskett	Pitt	Van Alstine
Kingland	Proudfoot	White

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

Senator Price moved that the vote by which House File No. 169 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Proudfoot House File No. 107, a bill for an act to compensate Roy Harrison for injuries received while working in the Reformatory at Anamosa under sentence of Court, whereby he lost a part of his right hand and making an appropriation to pay such compensation, with report of appropriation committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Byington raised the point of order that Senator Price was out of order in speaking the second time on the bill.

The point of order was sustained.

The bill was read for information.

Senator Proudfoot moved that the rules be suspended, and the reading just had be considered the third reading, which motion prevailed.

Senator Proudfoot invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 35.

Adams	Greenell	Parker
Anderson	Hale	Proudfoot
Arney	Haskell	Ratcliff
Broxam	Holdoegel	Reed
Buser	Horchem	Schaffter
Byington	Kimball	Stephenson
Cessna	Kimberly	Stoddard
Coburn	Kingland	Taylor
Edwards	LeCompte	Van Alstine
Evans	Meredith	Whitmore
Foskett	Mitchell	Wilson
Frailey	Nelson	

Nays, 8.

Balkema	Rainbow	Smith
Fellows	Kule	White
Price	Scott	

Absent or not voting, 7.

Ball	Newberry	Shane
Brookhart	Pitt	Thompson
Poster		

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

Senator Proudfoot moved that the vote by which House File No. 107 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Ratcliff Senate took a recess for ten minutes.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

MR. PRESIDENT—I am directed to inform your honorable body that the House has adopted conference committee report on Senate File No. 497, and adopted amendments proposed by the conference committee.

W. C. RAMSAY, *Chief Clerk.*

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled, Senate File No. 462, a bill for an act amending section two hundred fifty four-a-twenty nine (254-a29) supplement to the code, 1913, relating to probation officers and detention homes.

Also:

Senate File No. 271, a bill for an act to amend the law as it appears in section ten hundred fifty-six-a eleven (1056-a 11) and section ten hundred fifty six-a twelve (1056-a12) Supplement to the Code, 1913, relating to municipal accounting.

Also:

Senate File No. 300, a bill for an act to repeal the law as it appears in section twenty-seven hundred seventy-eight-b (2778-b), Supplement to the Code, 1913, and to amend the law as it appears in section twenty-seven hundred seventy-eight-c (2778-c) Supplement to the Code, 1913, and to repeal the law as it appears in section twenty-seven hundred seventy-eight-a (2778-a), Supplement to the Code, 1913, relating to minimum salaries for teachers and to enact a substitute therefor.

Also:

Senate File No. 285, a bill for an act to amend Section One Thousand Three Hundred Three (1303), Supplemental Supplement to the Code, 1915, relating to the levy of taxes for bridge purposes.

Also:

Senate File No. 523, a bill for an act to amend the law relating to the Iowa State Dairy Association; the Iowa Beef Cattle Producers' Association and the Iowa Corn and Small Grain Growers' Association, as the same appears in Chapter Thirteen-A (13-A), Title Twelve (XII), Supplemental Supplement to the Code, 1915, and in Chapter One Hundred Eighty-seven (187), of the Acts of the Thirty-Seventh General Assembly, and to make an appropriation for said Associations.

Also:

Senate File No. 436, a bill for an act authorizing life insurance companies to act as trustee of the proceeds of certain insurance policies. (This act is additional to chapter six (6), title Nine (IX) of the supplement to the code, 1913.)

Also:

Senate File No. 530, a bill for an act to amend the law as it appears in Senate File two hundred and ninety-six (296), as enacted by the thirty-eighth (38) general assembly and approved April 5, 1919, relating to consolidated school districts, and to legalize the formation and organization of certain consolidated independent school districts.

Also:

Senate File No. 324, a bill for an act to amend the law as it appears in section thirteen hundred thirty-three-d (1333-d), Supplement to the Code, 1913, relating to taxation of domestic insurance corporations, and fixing the basis upon which such tax shall be calculated.

Also:

Senate File No. 543, a bill for an act relating to the employment and licensing of Chauffeurs of Moter Trucks used in Mercantile and Agricultural Enterprises.

Also:

Senate File No. 94, a bill for an act relating to the public health, making and providing penalties for the violations of the provisions thereof, and repealing all acts in conflict herewith.

Also:

Senate File 357, a bill for an act to provide for an appropriation of \$50,000.00 for relieving the situation in coal mining camps as to school facilities.

Also:

Senate File 77, a bill for an act to amend section 2734-b of the supplemental supplement to the Code, 1915, relating to the expenses of the county Superintendent of Schools for visiting schools.

Also:

Senate File No. 73, a bill for an act authorizing the erection of a Judiciary and library building for the housing of the library and judicial and other departments of the state and providing for a joint committee to provide plans and contracts, fixing the approximate cost, providing for the erection of the same under section fourteen hundred-t two (1400-t2) of the supplement to the code, 1913, and providing for payment of cost of same from funds provided by section fourteen hundred-t (1400-t) of the supplement to the code, 1913, and chapter 207 of the laws of the thirty-seventh general assembly, and providing for compensation of committee.

Also:

Senate File No. 121, a bill for an act to repeal section sixteen hundred twenty-eight (1628) of the code relating to nonuser of franchise by corporations.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 462, a bill for an act amending section two hundred fifty four-a-twenty nine (254-a29) supplement to the Code, 1913, relating to probation officers and detention homes.

Also:

Senate File No. 271, a bill for an act to amend the law as it appears in section ten hundred fifty-six-a eleven (1056-a 11) and section ten hundred fifty six-a twelve (1056) Supplement to the Code, 1913, relating to municipal accounting.

Also:

Senate File No. 300, a bill for an act to repeal the law as it appears in section twenty-seven hundred seventy-eight-b (2778-b), Supplement to the Code, 1913, and to amend the law as it appears in section twenty-seven hundred seventy-eight-c (2778-c) Supplement to the Code, 1913, and to repeal the law as it appears in section twenty-seven hundred seventy-



eight-a (2778-a), Supplement to the Code, 1913, relating to minimum salaries for teachers and to enact a substitute therefor.

Also:

Senate File No. 285, a bill for an act to amend Section One Thousand Three Hundred Three (1303), Supplemental Supplement to the Code, 1915, relating to the levy of taxes for bridge purposes.

Also:

Senate File No. 523, a bill for an act to amend the law relating to the Iowa State Dairy Association; the Iowa Beef Cattle Producers' Association and the Iowa Corn and Small Grain Growers' Association, as the same appears in Chapter Thirteen-A (13-A), Title Twelve (XII), Supplemental Supplement to the Code, 1915, and in Chapter One Hundred Eighty-seven (187), of the Acts of the Thirty-Seventh General Assembly, and to make an appropriation for said Associations.

Also:

Senate File No. 94, a bill for an act relating to the public health, making and providing penalties for the violations of the provisions thereof, and repealing all acts in conflict herewith.

Also:

Senate File 357, a bill for an act to provide for an appropriation of \$50,000.00 for relieving the situation in coal mining camps as to school facilities.

Also:

Senate File 77, a bill for an act to amend section 2734-b of the supplemental supplement to the Code, 1915, relating to the expenses of the county Superintendent of Schools for visiting schools.

Also:

Senate File No. 73, a bill for an act authorizing the erection of a Judiciary and library building for the housing of the library and judicial and other departments of the state and providing for a joint committee to provide plans and contracts, fixing the approximate cost, providing for the erection of the same under section fourteen hundred-t two (1400-t2) of the supplement to the code, 1913, and providing for payment of cost of same from funds provided by section fourteen hundred-t (1400-t) of the supplement to the code, 1913, and chapter 207 of the laws of the thirty-seventh general assembly, and providing for compensation of committee.

Also:

Senate File No. 121, a bill for an act to repeal section sixteen hundred twenty-eight (1628) of the code relating to nonuser of franchise by corporations.

Also:

Senate File No. 436, a bill for an act authorizing life insurance companies to act as trustee of the proceeds of certain insurance policies. (This act is additional to chapter six (6), title Nine (IX) of the supplement to the code, 1913).

Also:

Senate File No. 530, a bill for an act to amend the law as it appears in Senate File two hundred and ninety-six (296), as enacted by the thirty-eighth (38) general assembly and approved April 5, 1919, relating to consolidated school districts, and to legalize the formation and organization of certain consolidated independent school districts.

Also:

Senate File No. 324, a bill for an act to amend the law as it appears in section thirteen hundred thirty-three-d (1333-d), Supplement to the Code, 1913, relating to taxation of domestic insurance corporations, and fixing the basis upon which such tax shall be calculated.

Also:

Senate File No. 543, a bill for an act relating to the employment and licensing of Chauffeurs of Moter Trucks used in Mercantile and Agricultural Enterprises.

Also:

Senate File No. 137, a bill for an act to appropriate money to pay the salaries of certain persons who acted as judges and clerks of election in the year 1918 at the various military camps throughout the United States in taking the vote of persons in the military service, and to meet extraordinary expenses of the various commissioners who were appointed to take such vote, including a per diem for certain commissioners who made a survey at certain camps preliminary to the election.

Also:

Senate File No. 387, a bill for an act to amend the law as it appears in subdivision one (1) of section seventeen hundred nine (1709), Supplement to the Code, 1913, relating to insurance other than life.

Also:

Senate File No. 265, a bill for an act to repeal Section Five (5), Chapter Forty (40), of the Acts of the 37th General Assembly of the State of Iowa, and to enact a substitute therefor, relating to the appointment, qualifications and salary of bank examiners, and to department assistants and expenses; to repeal Section Eighteen Hundred Seventy-five (1875), Supplemental Supplement to the Code, 1915, and as amended by Section Five (5), Chapter Forty (40) of the Acts of the 37th General Assembly of the State of Iowa, and to enact a substitute therefor, relating to fees.

Also:

Senate File No. 531, a bill for an act to amend Chapter 236 Acts of the Thirty-Seventh General Assembly relative to the establishment of state parks, their acquisition, maintenance, improvement, and control and providing for an appropriation therefore.

Also:

Senate File No. 534, a bill for an act to amend Chapter sixteen-F (16-F) of Title twelve (12) of the Supplement to the Code, 1913, relating to the powers and duties of the state entomologist and authorizing the purchase of equipment by him.

Also:

Senate File No. 495, a bill for an act to amend section 1400-T-1 of the Supplement to the Code, 1913, relating to boundaries of Capitol extension.

Also:

Senate File No. 294, a bill for an act to amend section two thousand six hundred four (2604), Supplemental Supplement to the Code, 1915, relating to salary of Commandant of the Soldiers' Home.

Also:

Senate File No. 291, a bill for an act establishing a medical department of the state library, to provide for the cataloguing and shelving of books thereof, making appropriation therefor, and providing for an assistant librarian and fixing the salary of such assistant.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

## REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter 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. 202, a bill for an act to provide for the determination of improvements by the state highway commission, on or across boundary lines of adjoining counties where said counties are unable to agree.

Also:

House File No. 344, a bill for an act to amend section two thousand seven hundred thirty-four-p1 (2734-p1), supplement to the code, 1913, relating to teaching experience; to repeal section two thousand seven hundred thirty-four-p2 (2734-p2) supplement to the code, 1913, relating to provisional certificates; and to amend section two thousand seven hundred thirty-four-s (2734-s), supplement to the code, 1913, relating to special examinations.

Also:

House File No. 433, a bill for an act to amend the law as it appears in sections four hundred nine-c (409-c), four hundred nine-d (409-d), four hundred nine-q (409-q), four hundred nine-s (409-s), supplement to the code, 1913, and to add to said chapter and title as additional to sections four hundred nine-u (409-u), relating to the care of tuberculosis.

Also:

House File No. 510, a bill for an act to provide for establishing a warning card to be placed on any house, dwelling or place, regarding a communicable disease, where the attending physician is in doubt as to the proper diagnosis, or the householder or person having a communicable disease is in doubt as regards the diagnosis when no physician has been in attendance.

Also:

House File No. 570, a bill for an act to legalize an ordinance of the incorporated city of Oelwein, Iowa, granting a franchise to the Oelwein Light, Heat and Power Company, a corporation, its successors or assigns, to acquire, construct, reconstruct, maintain and operate an electric light and power plant in said city.

Also:

House File No. 568, a bill for an act legalizing a grant of the board of supervisors of Buchanan County, Iowa, pursuant to resolution of said board of January 10, 1916, granting to the Fayette County Utilities Company, a corporation, its successors and assigns, the right to construct, op-

erate and maintain a transmission line for the purpose of conducting electricity for light, heat and power purposes over and along that part of a certain public highway commonly known as the Oelwein-Independence Highway, from the north line of Buchanan County to the north corporate line of the town of Hazelton, lying wholly within the said county of Buchanan.

Also:

House File No. 325, a bill for an act to authorize the executive council to contract for and cause to be installed an electrical and mechanical system for registration of votes of members of the assembly.

Also:

House File No. 372, a bill for an act for the purpose of having a patent issue in the name of Ransom L. Hogate for a certain tract of land.

Also:

House File No. 565, a bill for an act to amend section seven hundred twenty (720), supplement to the code, 1913, granting cities under ten thousand (10,000) population owning their own water plant the right to utilize the exhaust steam and excess power in the manufacture of artificial ice.

Also:

House File No. 567, a bill for an act to legalize certain warrants of the independent school district of Fairbank, Buchanan, Fayette, Black Hawk and Bremer Counties, Iowa.

Also:

House File No. 569, a bill for an act to legalize an ordinance of the incorporated town of Hazelton, Iowa, granting a franchise to the Fayette County Utilities Company, its successors and assigns, to maintain and operate an electric light, heat and power plant in said town.

Also:

House File No. 420, a bill for an act to repeal section fifteen hundred twenty-seven-d (1527-d), supplement to the code, 1913, and to enact a substitute therefor relating to electric light and power transmission lines, and increasing the penalty for violation of section 1527-c supplement to the code, 1913.

Also:

House File No. 560, a bill for an act to provide for the improving of public highways extending through or adjacent to lands belonging to state institutions including draining, grading, oiling, or paving.

Also:

House File No. 564, a bill for an act relating to the term of office of the state document editor, amending section one hundred forty-four-e (144-e) supplemental supplement to the code, 1915.

Also:

House File No. 550, a bill for an act to repeal chapter two-B (2-B) of title VIII of the supplement to the code, 1913, relating to the licensing and regulation of motor vehicles and to enact a substitute therefor and prescribing penalties for the violation thereof.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

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 House was asked:

Senate File No. 525, a bill for an act providing for the care and detention of feeble minded persons.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 484, a bill for an act relating to licensing and qualifications of insurance agents.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the Senate is asked:

House File No. 573, a bill for an act to make appropriation for the payment of state and other expenses.

W. C. RAMSAY, *Chief Clerk.*

#### THIRD READING OF BILLS.

On motion of Senator Stoddard House File No. 314, a bill for

an act to reimburse John Miller for services while acting as a member of the Delaware County Guards, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

Senator Stoddard moved that the rules be suspended, and the reading just had be considered the third reading, which motion prevailed.

Senator Stoddard invoked rule 8.

On the question "Shall the bill pass?" the vote was:

Ayes, 36.

Ball	Hale	Ratcliff
Broxam	Hoidoegel	Rule
Buser	Horchem	Schaffter
Byington	Kimball	Scott
Cessna	LeCompte	Smith
Coburn	Mitchell	Stephenson
Edwards	Nelson	Stoddard
Evans	Newberry	Taylor
Fellows	Parker	Thompson
Foskett	Price	White
Fralley	Proudfoot	Whitmore
Greenell	Rainbow	Wilson

Nays, none.

Absent or not voting, 14.

Adams	Foster	Pitt
Anderson	Haskell	Reed
Arney	Kimberly	Shane
Balkema	Kingland	Van Alstine
Brookhart	Meredith	

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

Senator Stoddard moved that the vote by which Senate File No. 314 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the

presence of the Senate, he had signed House Files No. 202, 344, 433, 510, 570, 568, 325, 372, 565, 567, 569, 420, 560, 564 and 550.

#### SENATE FILES 36 AND 305 WITHDRAWN.

By unanimous consent Senator Parker withdrew Senate Files Nos. 36 and 305 from further consideration.

On motion of Senator Price Senate took a recess for ten minutes.

Senate resumed session and the roll was called to determine the presence of a quorum and showed as follows:

#### Present, 27.

Adams	Fellows	Newberry
Arney	Foskett	Parker
Balkema	Frailey	Proudfoot
Brookhart	Greenell	Rainbow
Broxam	Hale	Ratcliff
Buser	Holdoegel	Rule
Byington	Kimball	Schaffter
Coburn	LeCompte	Stephenson
Evans	Meredith	Van Alstine

#### Absent, 23.

Anderson	Kingland	Smith
Ball	Mitchell	Stoddard
Cessna	Nelson	Taylor
Edwards	Pitt	Thompson
Poster	Price	White
Haskell	Reed	Whitmore
Horchem	Scott	Wilson
Kimberly	Shane	

The president declared a quorum present.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 314, a bill for an act to reimburse John Miller for services while acting as a member of the Delaware County Guards.



Also:

House File No. 243, a bill for an act making an appropriation for the construction of buildings at the State University of Iowa and the Iowa State College of Agriculture and Mechanic Arts.

Also:

House File No. 169, a bill for an act to amend section fifteen hundred twenty-seven-s seven (1527-s7), supplement to the code, 1913, relative to the removal of government or established corners and providing a penalty therefor.

Also:

House File No. 107, a bill for an act to compensate one Roy Harrison for injuries received while working in the reformatory at Anamosa under sentence of court, whereby he lost a part of his right hand, and making an appropriation to pay such compensation.

Also:

House File No. 417, a bill for an act to amend section 2507 of the supplemental supplement to the code, and making an appropriation to pay the expenses and salaries provided for in said section.

Also:

House File No. 362, a bill for an act providing for the compilation of a roster of Iowa soldiers, sailors and marines in the Mexican border service of 1916 and 1917; and the world's war of 1917, 1918, and 1919; and other historical data in connection with the world war of 1917, 1918, and 1919, and providing for the manner of its publication, distribution and sale; creating a commission to perform said compilation and making an appropriation therefor.

Also:

House File No. 430, a bill for an act to provide that an upper levee or drainage district shall pay its proportional share of the cost of enlarging, deepening, widening or cleaning out any ditch, drain, watercourse or stream of a lower levee or drainage district into or through which the waters of the upper levee or drainage district flow; and that such upper levee or drainage district shall pay its proportional share of the cost of extending any ditch, drain, watercourse or stream of a lower levee or drainage district, when such extension becomes necessary for a better outlet for the waters of the several districts flowing into or through the same.

Also:

House File No. 7, a bill for an act to empower certain cities organized under the commission plan of government located on or into and through which a stream flows which furnishes drainage for any city or town whose boundary lines or any part thereof joins, to provide for the construction of sewers.

Also:

House Joint Resolution No. 4, a joint resolution approving estimate of costs, plans and specifications for buildings at the State University of Iowa and the Iowa State College of Agriculture and Mechanic Arts.

Approving estimates of costs, plans and specifications for the erection of new buildings at the State University of Iowa and the Iowa State College of Agriculture and Mechanic Arts.

Approving estimates of costs, plans and specifications for the erection of a steam laboratory, and for the completion of the hospital for diseased and crippled children, and the heating plant connected therewith, and for the completion of the dormitory for men at the State University of Iowa; and mechanical shops, a foundry, a dormitory for women, and a poultry laboratory at the Iowa State College of Agriculture and Mechanic Arts.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*  
WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### HOUSE MESSAGE CONSIDERED.

House File No. 573, a bill for an act to make appropriation for the payment of state and other expenses.

Read first and second time.

#### THIRD READING OF BILLS.

On motion of Senator Foskett, House File No. 573, a bill for an act to make appropriation for the payment of state and other expenses, a committee bill, was taken up, and considered.

On motion of Senator Foskett, the rule was suspended whereby no bill may be read a second and third time the same day.

The bill was read for information.

Senator Foskett 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 vote was:

Ayes, 38.

Adams	Foster	Proudfoot
Anderson	Frailey	Rainbow
Balkema	Greenell	Ratcliff
Ball	Hale	Reed
Broxam	Haskell	Rule
Buser	Holdoegel	Schaffter
Byington	Horchem	Shane
Cessna	Kimball	Smith
Coburn	Kingland	Stephenson
Edwards	LeCompte	Van Alstine
Evans	Meredith	White
Fellows	Newberry	Wilson
Foskett	Parker	

Nays, none.

Absent or not voting, 12.

Arney	Nelson	Stoddard
Brookhart	Pitt	Taylor
Kimberly	Price	Thompson
Mitchell	Scott	Whitmore

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

Senator Foskett moved that the vote by which Senate File No. 573 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

#### INTRODUCTION OF BILLS.

By committee on ways and means, Senate File No. 545, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by executive council.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. The amount of revenue for general state purposes is hereby designated and fixed by the general assembly as

the sum of seven million, nine hundred thousand dollars (\$7,900,000.00) to be provided by the levy for 1919 and the sum of seven million nine hundred thousand dollars (\$7,900,000.00) to be provided by the levy for 1920.

Sec. 2. The state levies for said years shall be made as provided in sections thirteen hundred eighty-c, (1380-c) and thirteen hundred eighty-d (1380-d), supplement to the Code, 1913.

Read first and second time.

### THIRD READING OF BILLS.

On motion of Senator Kimball, Senate File No. 545, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by executive council, a committee bill, was taken up and considered.

On motion of Senator Kimball, the rule was suspended under which no bill may be read a second and third time the same day.

The bill was read for information.

Senator Kimball moved that the rules be suspended, the bill be considered engrossed, and the reading just had be considered the third reading, which motion prevailed.

On the question, "Shall the bill pass?" the vote was:

Ayes, 37.

Adams	Foster	Rainbow
Arney	Frailey	Ratcliff
Balkema	Greenell	Reed
Ball	Hale	Rule
Brookhart	Holdoegel	Schaffter
Broxam	Jorchem	Shane
Buser	Kimball	Smith
Byington	Kingland	Stephenson
Cessna	Meredith	Van Alstine
Coburu	Newberry	White
Evans	Parker	Whitmore
Fellows	Proudfoot	Wilson
Foskett		

Nays, none.

Absent or not voting, 13.

Anderson	Mitchell	Stoddard
Edwards	Nelson	Taylor
Haskell	Pitt	Thompson
Kimberly	Price	Van Alstine
LeCompte	Scott	

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

#### BILLS SIGNED BY THE PRESIDENT.

The president announced that as president of the Senate in the presence of the Senate he had signed House Files Nos. 314, 243, 107, 169, 417, 362, 430 and 7.

Also House Joint Resolution No. 4.

On motion of Senator Brookhart, the Senate took a recess of ten minutes.

#### 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. 541, the salary budget bill.

W. C. RAMSAY, *Chief Clerk.*

#### HONORS TO ROY SALISBURY.

Private Roy Salisbury, of Sloan, Iowa, a member of the 168th Infantry Rainbow Division, was introduced to the Senate by Senator Stoddard as one of the three boys to enter the war from his home town and the only one to return, his two comrades having been left sleeping in France.

#### HOUSE RESOLUTION CONCURRED IN.

Senator Rule called up the following resolution and moved that the Senate concur:

## HOUSE CONCURRENT RESOLUTION.

Whereas, many public improvements for which there is an imperative need, have been postponed on account of the existence of a state of war between the United States of America and the Imperial German Government, and,

Whereas, the necessity for the resumption of the construction of public works is fully recognized and is being urged upon all people in authority representing the various political units and subdivisions of the United States; and

Whereas, one of the greatest problems confronting the state and nation at the present time is the furnishing of immediate employment to a large amount of idle labor released from other activities by the victorious termination of the war; and

Whereas, the embarking upon the construction of the much needed public improvements will furnish immediate and profitable employment to idle labor; and

Whereas, the increase in freight rates on the heavy materials entering largely into the construction of public works, which went into effect June 25, 1918, was approximately one hundred per cent greater than the increase on other commodities; and

Whereas, in the judgment of the General Assembly of the state of Iowa freight rates on materials designed for use in the construction of public works are excessive and tend unmistakably to discourage the resumption of the construction of such enterprise, thus defeating the effort to give employment to idle labor; therefore,

*Be It Resolved by the House of Representatives of the State of Iowa, the Senate concurring therein,*

That the president of the United States, the Congress of the United States, and the United States Railroad Commission, be and they are hereby memorialized and respectfully but most urgently requested to take such action as will bring about a reduction in the freight tariffs governing the shipment of materials entering largely into the construction of public works, said reduction to be not less than the advance which went into effect June 25, 1918, and to be effective at an early date; and

That upon the passage of this resolution, certified copies thereof be forthwith forwarded by the secretary of state of Iowa to the president of the United States, the presiding officers of both houses of Congress and members from Iowa of both branches of the Congress of the United States, and the director general of railroads.

The motion prevailed and the Senate concurred.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 137, a bill for an act to appropriate money to pay the salaries of certain persons who acted as judges and clerks of election in the year 1918 at the various military camps throughout the United States in taking the vote of persons in the military service, and to meet extra ordinary expenses of the various commissioners who were appointed to take such vote, including a per diem for certain commissioners who made a survey at certain camps preliminary to the election.

Also:

Senate File No. 387, a bill for an act to amend the law as it appears in subdivision one (1) of section seventeen hundred nine (1709), Supplement to the Code, 1913, relating to insurance other than life.

Also:

Senate File No. 265, a bill for an act to repeal Section Five (5), Chapter Forty (40), of the Acts of the 37th General Assembly of the State of Iowa, and to enact a substitute therefor, relating to the appointment, qualifications and salary of bank examiners, and to department assistants and expenses; to repeal Section Eighteen Hundred Seventy-five (1875), Supplemental Supplement to the Code, 1915, and as amended by Section Five (5), Chapter Forty (40) of the Acts of the 37th General Assembly of the State of Iowa, and to enact a substitute therefor, relating to fees.

Also:

Senate File No. 531, a bill for an act to amend Chapter 236 Acts of the Thirty-Seventh General Assembly relative to the establishment of state parks, their acquisition, maintenance, improvement, and control and providing for an appropriation therefore.

Also:

Senate File No. 534, a bill for an act to amend Chapter sixteen-F (16-F) of Title twelve (12) of the Supplement to the Code, 1913, relating to the powers and duties of the state entomologist and authorizing the purchase of equipment by him.

Also:

Senate File No. 495, a bill for an act to amend section 1400-T-1 of the Supplement to the Code, 1913, relating to boundaries of Capitol extension.

Also:

Senate File No. 294, a bill for an act to amend section two thousand six hundred four (2604), Supplemental Supplement to the Code, 1915, relating to salary of Commandant of the Soldiers' Home.

Also:

Senate File No. 291, a bill for an act establishing a medical department of the state library, to provide for the cataloguing and shelving of books thereof, making appropriation therefor, and providing for an assistant librarian and fixing the salary of such assistant.

Also:

Senate File 371, a bill for an act to abolish the state hospital for inebriates at Knoxville, Iowa, to provide wards at the state hospital for the insane, for the detention and treatment of persons addicted to the excessive use of narcotic drugs, to establish a vocational school at Knoxville, Iowa, and making a diversion of funds therefor, and for the repeal of all acts inconsistent with the provisions hereof.

Also:

Senate File No. 431, a bill for an act to amend the law as it appears section eleven hundred six (1106) of the code as amended by Senate File No. 21 of the Acts of the Thirty-eight General Assembly, section eleven hundred thirty-one (1131) of the code, section ten hundred seventy-seven (1077), supplement to the code, 1913, and section eleven hundred seventy-3 (1170-3), supplement to the code, 1913, and section eleven hundred seventy-three (1173), supplement to the code, 1913, relating to the election of presidential electors, registration of voters, and to provide that the right to vote for presidential electors shall not be abridged on account of sex.

Also:

Senate File No. 308, a bill for an act to repeal section two hundred ninety-eight (298), Supplemental supplement to the code, 1915, as amended by Chapter seventy-seven (77) of the Acts of the Thirty-seventh General Assembly; and section four hundred eighty-one (481), supplemental supplement to the code, 1915, as amended by Chapter seventy-seven (77), of the Acts of the Thirty-seventh General Assembly; and section four hundred ninety-one (491), supplemental supplement to the code, 1915, as amended by chapter seventy-seven (77) of the Acts of the Thirty-seventh General Assembly; and section four hundred ninety-six (496), supplement to the code, 1913, as amended by chapter seventy-seven (77) of the Acts of the Thirty-seventh General Assembly; and section five hundred ten-b



(510-b), supplemental supplement to the code, 1915, and enacting substitutes therefor, relating to the appointment and compensation of deputy county officers.

Also:

Senate File No. 405, a bill for an act to amend section one (1), chapter one hundred ninety-one (191), Acts of the Thirty-seventh General Assembly, relating to exemptions from taxation of property of soldiers and sailors.

Also:

Senate File No. 312, a bill for an act to amend sections sixteen hundred fifty-seven-n (1657-n), sixteen hundred fifty-seven-o (1657o), sixteen hundred fifty-seven-p (1657-p) and sixteen hundred fifty-seven-r (1657-r), supplement to the code, 1913, relating to the compensation of the officers and members of the state board of agriculture and date of publishing premium list.

Also:

Senate File No. 162, a bill for an act to amend the law as it appears in chapter 154 of the Acts of the 37th General Assembly of Iowa, and to repeal section twenty-nine hundred six (2906), of the code, enacting a substitute therefor, relative to the filing of chattel mortgages, bills of sale or other instruments affecting the title to or incumbrance of personal property and providing fees to be paid therefor, and repealing all laws or parts of laws in conflict herewith.

Also:

Senate File No. 462, a bill for an act amending section two hundred fifty four-a-twenty nine (254-a29) supplement to the code, 1913, relating to probation officers and detention homes.

Also:

Senate File No. 271, a bill for an act to amend the law as it appears in section ten hundred fifty-six-a eleven (1056-a 11) and section ten hundred fifty-six-a twelve (1056-a12) supplement to the code 1913, relating to municipal accounting.

Also:

Senate File No. 300, a bill for an act to repeal the law as it appears in section twenty-seven hundred seventy-eight-b (2778-b), Supplement to

the Code, 1913, and to amend the law as it appears in section twenty-seven hundred seventy-eight-c (2778-c) Supplement to the Code, 1913, and to repeal the law as it appears in section twenty-seven hundred seventy-eight-a (2778-a), Supplement to the Code, 1913, relating to minimum salaries for teachers and to enact a substitute therefor.

Also:

Senate File No. 285, a bill for an act to amend Section One Thousand Three Hundred Three (1303), Supplemental Supplement to the Code, 1915, relating to the levy of taxes for bridge purposes.

Also:

Senate File No. 523, a bill for an act to amend the law relating to the Iowa State Dairy Association; the Iowa Beef Cattle Producers' Association and the Iowa Corn and Small Grain Growers' Association, as the same appears in Chapter Thirteen-A (13-A), Title Twelve (XII), Supplemental Supplement to the Code, 1915, and in Chapter One Hundred Eighty-seven (187), of the Acts of the Thirty-Seventh General Assembly, and to make an appropriation for said Associations.

Also:

Senate File No. 436, a bill for an act authorizing life insurance companies to act as trustee of the proceeds of certain insurance policies. (This act is additional to chapter six (6), title Nine (IX) of the supplement to the code, 1913.)

Also:

Senate File No. 530, a bill for an act to amend the law as it appears in Senate File two hundred and ninety-six (296), as enacted by the thirty-eighth (38) general assembly and approved April 5, 1919, relating to consolidated school districts, and to legalize the formation and organization of certain consolidated independent school districts.

Also:

Senate File No. 324, a bill for an act to amend the law as it appears in section thirteen hundred thirty-three-d (1333-d), Supplement to the Code, 1913, relating to taxation of domestic insurance corporations, and fixing the basis upon which such tax shall be calculate<sup>d</sup>.

Also:

Senate File No. 543, a bill for an act relating to the employment and licensing of Chauffeurs of Moter Trucks used in Mercantile and Agricultural Enterprises.

Also:

Senate File No. 94, a bill for an act relating to the public health, making and providing penalties for the violations of the provisions thereof, and repealing all acts in conflict herewith.

Also:

Senate File 357, a bill for an act to provide for an appropriation of \$50,000.00 for relieving the situation in coal mining camps as to school facilities.

Also:

Senate File 77, a bill for an act to amend section 2734-b of the supplemental supplement to the Code, 1915, relating to the expenses of the county Superintendent of Schools for visiting schools.

Also:

Senate File No. 73, a bill for an act authorizing the erection of a Judiciary and library building for the housing of the library and judicial and other departments of the state and providing for a joint committee to provide plans and contracts, fixing the approximate cost, providing for the erection of the same under section fourteen hundred-t two (1400-t2) of the supplement to the code, 1913, and providing for payment of cost of same from funds provided by section fourteen hundred-t (1400-t) of the supplement to the code, 1913, and chapter 207 of the laws of the thirty-seventh general assembly, and providing for compensation of committee.

Also:

Senate File No. 121, a bill for an act to repeal section sixteen hundred twenty-eight (1628) of the code relating to nonuser of franchise by corporations.

EUGENE SCHAFFER.

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 371,

a bill for an act to abolish the state hospital for inebriates at Knoxville, Iowa, to provide wards at the state hospital for the insane, for the detention and treatment of persons addicted to the excessive use of narcotic drugs, to establish a vocational school at Knoxville, Iowa, and making a diversion of funds therefor, and for the repeal of all acts inconsistent with the provisions hereof.

Also:

Senate File 431, a bill for an act to amend the law as it appears in section eleven hundred six (1106) of the code as amended by Senate File 21, of the acts of the thirty-eighth general assembly, section eleven hundred thirty-one (1131) of the code, section ten hundred seventy-seven (1077), supplement to the code, 1913, relating to the election of presidential electors, regulation of voters, and to provide that the right to vote for presidential electors shall not be abridged on account of sex.

Also:

Senate File 308, a bill for an act to repeal section two hundred ninety-eight (298), supplemental supplement to the code, 1915, as amended by Chapter seventy-seven (77) of the acts of the thirty-seventh general assembly; and section four hundred ninety-one (491) supplemental supplement to the code, 1915, as amended by chapter seventy-seven (77) of the acts of the thirty-seventh general assembly; and section four hundred ninety-six (496), supplement to the code, 1913, as amended by chapter seventy-seven (77), of the acts of the thirty-seventh general assembly; and section five hundred ten-b (510-b), supplemental supplement to the code, 1915, and enacting substitutes therefor, relating to the appointment and compensation of deputy county officers.

Also:

Senate File 405, a bill for an act to amend section one (1), chapter one hundred ninety-one (191), acts of the thirty-seventh general assembly, relating to exemptions from taxations of property of soldiers and sailors.

Also:

Senate File 312, a bill for an act to amend sections sixteen hundred fifty-seven-n (1657-n), sixteen hundred fifty-seven-c (1657-c), sixteen hundred fifty-seven-p (1657-p) and sixteen hundred fifty-seven-r (1657-r), supplement to the code, 1913, relating to the compensation of the officers and members of the state board of agriculture and date of publishing premium list.

Also:

Senate File 162, a bill for an act to amend the law as it appears in chapter 154 of the acts of the 37th general assembly of Iowa, and to repeal section twenty-nine hundred six (2906), of the code, enacting a substitute

therefor, relative to the filing of chattel mortgages, bills of sale or other instruments affecting the title to or incumbrance of personal property and providing fees to be paid therefor, and repealing all laws or parts of laws in conflict herewith.

Also:

Senate File No. 462, a bill for an act amending section two hundred fifty-four-a-twenty nine (254-a29) supplement to the Code, 1913, relating to probation officers and detention homes.

Also:

Senate File No. 271, a bill for an act to amend the law as it appears in section ten hundred fifty-six-a eleven (1056-a 11) and section ten hundred fifty six-a twelve (1056-a12) Supplement to the Code, 1913, relating to municipal accounting.

Also:

Senate File No. 300, a bill for an act to repeal the law as it appears in section twenty-seven hundred seventy-eight-b (2778-b), Supplement to the Code, 1913, and to amend the law as it appears in section twenty-seven hundred seventy-eight-c (2778-c) Supplement to the Code, 1913, and to repeal the law as it appears in section twenty-seven hundred seventy-eight-a (2778-a), Supplement to the Code, 1913, relating to minimum salaries for teachers and to enact a substitute therefor.

Also:

Senate File No. 285, a bill for an act to amend Section One Thousand Three Hundred Three (1303), Supplemental Supplement to the Code, 1915, relating to the levy of taxes for bridge purposes.

Also:

Senate File No. 523, a bill for an act to amend the law relating to the Iowa State Dairy Association; the Iowa Beef Cattle Producers' Association and the Iowa Corn and Small Grain Growers' Association, as the same appears in Chapter Thirteen-A (13-A), Title Twelve (XII), Supplemental Supplement to the Code, 1915, and in Chapter One Hundred Eighty-seven (187), of the Acts of the Thirty-Seventh General Assembly, and to make an appropriation for said Associations.

Also:

Senate File No. 94, a bill for an act relating to the public health, making and providing penalties for the violations of the provisions thereof, and repealing all acts in conflict herewith.

Also:

Senate File 357, a bill for an act to provide for an appropriation of \$50,000.00 for relieving the situation in coal mining camps as to school facilities.

Also:

Senate File 77, a bill for an act to amend section 2734-b of the supplemental supplement to the Code, 1915, relating to the expenses of the county Superintendent of Schools for visiting schools.

Also:

Senate File No. 73, a bill for an act authorizing the erection of a Judiciary and library building for the housing of the library and judicial and other departments of the state and providing for a joint committee to provide plans and contracts, fixing the approximate cost, providing for the erection of the same under section fourteen hundred-t two (1400-t2) of the supplement to the code, 1913, and providing for payment of cost of same from funds provided by section fourteen hundred-t (1400-t) of the supplement to the code, 1913, and chapter 207 of the laws of the thirty-seventh general assembly, and providing for compensation of committee.

Also:

Senate File No. 121, a bill for an act to repeal section sixteen hundred twenty-eight (1628) of the code relating to nonuser of franchise by corporations.

Also:

Senate File No. 436, a bill for an act authorizing life insurance companies to act as trustee of the proceeds of certain insurance policies. (This act is additional to chapter six (6), title Nine (IX) of the supplement to the code, 1913).

Also:

Senate File No. 530, a bill for an act to amend the law as it appears in Senate File two hundred and ninety-six (296), as enacted by the thirty-eighth (38) general assembly and approved April 5, 1919, relating to consolidated school districts, and to legalise the formation and organization of certain consolidated independent school districts.

Also:

Senate File No. 324, a bill for an act to amend the law as it appears in section thirteen hundred thirty-three-d (1333-d), Supplement to the Code, 1913, relating to taxation of domestic insurance corporations, and fixing the basis upon which such tax shall be calculated.

Also:

Senate File No. 543, a bill for an act relating to the employment and licensing of Chauffeurs of Motor Trucks used in Mercantile and Agricultural Enterprises.

Also:

Senate File No. 137, a bill for an act to appropriate money to pay the salaries of certain persons who acted as judges and clerks of election in the year 1918 at the various military camps throughout the United States in taking the vote of persons in the military service, and to meet extraordinary expenses of the various commissioners who were appointed to take such vote, including a per diem for certain commissioners who made survey at certain camps preliminary to the election.

Also:

Senate File No. 387, a bill for an act to amend the law as it appears in subdivision one (1) of section seventeen hundred nine (1709), Supplement to the Code, 1913, relating to insurance other than life.

Also:

Senate File No. 265, a bill for an act to repeal Section Five (5), Chapter Forty (40), Acts of the 37th General Assembly of the State of Iowa, and to enact a substitute therefor, relating to the appointment, qualifications and salary of bank examiners, and to department assistants and expenses; to repeal Section Eighteen Hundred Seventy-five (1875), Supplemental Supplement to the Code, 1915, and as amended by Section Five (5), Chapter Forty (40) of the Acts of the 37th General Assembly of the State of Iowa, and to enact a substitute therefor, relating to fees.

Also:

Senate File No. 531, a bill for an act to amend Chapter 236 Acts of the Thirty-Seventh General Assembly, relative to the establishment of state parks, their acquisition, maintenance, improvement, and control and providing for an appropriation therefore.

Also:

Senate File No. 534, a bill for an act to amend Chapter sixteen-F (16-F) of Title twelve (12) of the Supplement to the Code, 1913, relating to the powers and duties of the state entomologist and authorizing the purchase of equipment by him.

Also:

Senate File No. 495, a bill for an act to amend section 1400-T-1 of the Supplement to the Code, 1913, relating to boundaries of Capitol extension.

Also:

Senate File No. 294, a bill for an act to amend section two thousand six hundred four (2604), Supplemental Supplement to the Code, 1915, relating to salary of Commandant of the Soldiers' Home.

Also:

Senate File No. 291, a bill for an act establishing a medical department of the state library, to provide for the cataloguing and shelving of books thereof, making appropriation therefor, and providing for an assistant librarian and fixing the salary of such assistant.

Also:

House File No. 122, a bill for an act to amend chapter two hundred thirty-one (231) acts of the thirty-seventh general assembly, relating to peace officers appointed by the governor or attorney general and requiring them to give bond.

Also:

House File No. 85, a bill for an act requiring the teaching of American citizenship in the public and private schools located in the state of Iowa and providing for an outline of such subjects.

Also:

House File No. 313, a bill for an act providing for the establishment of levee and drainage districts and improvements in cases where the board of supervisors have heretofore attempted to establish the same under title X, chapter 2, McClain's code of 1888, as amended and where said establishment has failed by reason of the unconstitutionality of said provision, and to provide for the district established under the provisions of this act, taking over and establishing as the improvement of this district and ditch, levee or drain all ready in whole or in part constructed, under said attempted establishment and to assess benefits therefor and to allow damages and make such ditch, dike or drain, the improvement or a part of the improvement established under this act; and to provide for the levy and collection of taxes to be assessed against the benefited area affected by said improvements for both the cost of construction and any subsequent work done thereon as repairs and for maintenance thereof.

Also:

House File No. 566, a bill for an act to authorize the voting and levying of a tax upon real estate contiguous to a railroad which has been heretofore constructed and the operation of which has been abandoned to aid in the reconstruction, improvement, repair or maintenance of such railroad.



Also:

House File No. 523, a bill for an act to amend the law as it appears in section two (2), chapter four hundred twenty-eight (428), acts of the thirty-seventh general assembly of Iowa, authorizing certain insurance companies to insure against loss or damage resulting from personal injury or death caused by error or negligence of the insured in the practice of medicine, surgery or dentistry, or in the prescribing or dispensing of drugs or medicines.

Also:

House File No. 529, a bill for an act to provide for surveys authorized by Congress of the United States in the state of Iowa.

Also:

House File No. 272, a bill for an act appropriating funds for paving the road through and adjacent to the grounds of the Iowa school for deaf, providing for the manner of construction of said pavement and amending chapter two hundred seventy-six (276), of the laws of the thirty-seventh general assembly relating to the same matter.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*  
WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed House Files Nos. 566, 523, 313, 529, 85, 122 and 272.

Also:

Senate Files Nos. 371, 308, 405, 162, 312, 431, 94, 357, 77, 73, 121, 436, 530, 324, 543, 462, 271, 300, 285, 523, 531, 534, 495, 291, 294, 265, 137 and 387.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 19th day of April, 1919, sent to the governor for his approval, Senate File No. 137, a bill for an act to appropriate money to pay the salaries of certain persons who acted as judges and clerks of

election in the year 1918 at the various military camps throughout the United States in taking the vote of persons in the military service, and to meet extraordinary expenses of the various commissioners who were appointed to take such vote, including a per diem for certain commissioners who made a survey at certain camps preliminary to the election.

Also:

Senate File No. 387, a bill for an act to amend the law as it appears in subdivision one (1) of section seventeen hundred nine (1709), Supplement to the Code, 1913, relating to insurance other than life.

Also:

Senate File No. 265, a bill for an act to repeal Section Five (5), Chapter Forty (40), of the Acts of the 37th General Assembly of the State of Iowa, and to enact a substitute therefor, relating to the appointment, qualifications and salary of bank examiners, and to department assistants and expenses; to repeal Section Eighteen Hundred Seventy-five (1875), Supplemental Supplement to the Code, 1915, and as amended by Section Five (5), Chapter Forty (40) of the Acts of the 37th General Assembly of the State of Iowa, and to enact a substitute therefor, relating to fees.

Also:

Senate File No. 531, a bill for an act to amend Chapter 236 Acts of the Thirty-Seventh General Assembly relative to the establishment of state parks, their acquisition, maintenance, improvement, and control and providing for an appropriation therefore.

Also:

Senate File No. 534, a bill for an act to amend Chapter sixteen-F (16-F) of Title twelve (12) of the Supplement to the Code, 1913, relating to the powers and duties of the state entomologist and authorizing the purchase of equipment by him.

Also:

Senate File No. 495, a bill for an act to amend section 1400-T-1 of the Supplement to the Code, 1913, relating to boundaries of Capitol extension.

Also:

Senate File No. 294, a bill for an act to amend section two thousand six hundred four (2604), Supplemental Supplement to the Code, 1915, relating to salary of Commandant of the Soldiers' Home.

Also:

Senate File No. 291, a bill for an act establishing a medical department of the state library, to provide for the cataloguing and shelving of books

thereof, making appropriation therefor, and providing for an assistant librarian and fixing the salary of such assistant.

Also:

Senate File No. 462, a bill for an act amending section two hundred fifty four-a twenty nine (254a29) supplement to the Code, 1913, relating to probation officers and detention homes.

Also:

Senate File No. 271, a bill for an act to amend the law as it appears in section ten hundred fifty-six-a eleven (1056-a 11) and section ten hundred fifty six-a twelve (1056) Supplement to the Code, 1913, relating to municipal accounting.

Also:

Senate File No. 300, a bill for an act to repeal the law as it appears in section twenty-seven hundred seventy-eight-b (2778-b), Supplement to the Code, 1913, and to amend the law as it appears in section twenty-seven hundred seventy-eight-c (2778-c) Supplement to the Code, 1913, and to repeal the law as it appears in section twenty-seven hundred seventy-eight-a (2778-a), Supplement to the Code, 1913, relating to minimum salaries for teachers and to enact a substitute therefor.

Also:

Senate File No. 285, a bill for an act to amend Section One Thousand Three Hundred Three (1303), Supplemental Supplement to the Code, 1915, relating to the levy of taxes for bridge purposes.

Also:

Senate File No. 523, a bill for an act to amend the law relating to the Iowa State Dairy Association; the Iowa Beef Cattle Producers' Association and the Iowa Corn and Small Grain Growers' Association, as the same appears in Chapter Thirteen-A (13-A), Title Twelve (XII), Supplemental Supplement to the Code, 1915, and in Chapter One Hundred Eighty-seven (187), of the Acts of the Thirty-Seventh General Assembly, and to make an appropriation for said Associations.

Also:

Senate File No. 436, a bill for an act authorizing life insurance companies to act as trustee of the proceeds of certain insurance policies. (This act is additional to chapter six (6), title Nine (IX) of the supplement to the code, 1913.)

Also:

Senate File No. 539, a bill for an act to amend the law as it appears in Senate File two hundred and ninety-six (296), as enacted by the thirty-eighth (38) general assembly and approved April 5, 1919, relating to consolidated school districts, and to legalize the formation and organization of certain consolidated independent school districts.

Also:

Senate File No. 324, a bill for an act to amend the law as it appears in section thirteen hundred thirty-three-d (1333-d), Supplement to the Code, 1913, relating to taxation of domestic insurance corporations, and fixing the basis upon which such tax shall be calculated.

Also:

Senate File No. 543, a bill for an act relating to the employment and licensing of Chauffeurs of Moter Trucks used in Mercantile and Agricultural Enterprises.

Also:

Senate File No. 94, a bill for an act relating to the public health, making and providing penalties for the violations of the provisions thereof, and repealing all acts in conflict herewith.

Also:

Senate File 357, a bill for an act to provide for an appropriation of \$50,000.00 for relieving the situation in coal mining camps as to school facilities.

Also:

Senate File 77, a bill for an act to amend section 2734-b of the supplemental supplement to the Code, 1915, relating to the expenses of the county Superintendent of Schools for visiting schools.

Also:

Senate File No. 73, a bill for an act authorizing the erection of a Judiciary and library building for the housing of the library and judicial and other departments of the state and providing for a joint committee to provide plans and contracts, fixing the approximate cost, providing for the erection of the same under section fourteen hundred-t two (1400-t2) of the supplement to the code, 1913, and providing for payment of cost of same from funds provided by section fourteen hundred-t (1400-t) of the supplement to the code, 1913, and chapter 207 of the laws of the thirty-seventh general assembly, and providing for compensation of committee.

Also:

Senate File No. 121, a bill for an act to repeal section sixteen hundred twenty-eight (1628) of the code relating to nonuser of franchise by corporations.

Also:

Senate File No. 371, a bill for an act to abolish the state hospital for inebriates at Knoxville, Iowa, to provide wards at the state hospital for the insane, for the detention and treatment of persons addicted to the excessive use of narcotic drugs, to establish a vocational school at Knoxville, Iowa, and making a diversion of funds therefor, and for the repeal of all acts inconsistent with the provisions hereof.

Also:

Senate File 431, a bill for an act to amend the law as it appears in section eleven hundred six (1106) of the code as amended by Senate File 21, of the acts of the thirty-eighth general assembly, section eleven hundred thirty-one (1131) of the code, section ten hundred seventy-seven (1077), supplement to the code, 1913, relating to the election of presidential electors, regulation of voters, and to provide that the right to vote for presidential electors shall not be abridged on account of sex.

Also:

Senate File 308, a bill for an act to repeal section two hundred ninety-eight (298), supplemental supplement to the code, 1915, as amended by Chapter seventy-seven (77) of the acts of the thirty-seventh general assembly; and section four hundred ninety-one (491) supplemental supplement to the code, 1915, as amended by chapter seventy-seven (77) of the acts of the thirty-seventh general assembly; and section four hundred ninety-six (496), supplement to the code, 1913, as amended by chapter seventy-seven (77), of the acts of the thirty-seventh general assembly; and section five hundred ten-b (510-b), supplemental supplement to the code, 1915, and enacting substitutes therefor, relating to the appointment and compensation of deputy county officers.

Also:

Senate File 405, a bill for an act to amend section one (1), chapter one hundred ninety-one (191), acts of the thirty-seventh general assembly, relating to exemptions from taxations of property of soldiers and sailors.

Also:

Senate File 312, a bill for an act to amend sections sixteen hundred fifty-seven-n (1657-n), sixteen hundred fifty-seven-c (1657-c), sixteen hundred fifty-seven-p (1657-p) and sixteen hundred fifty-seven-r (1657-r), supplement to the code, 1913, relating to the compensation of the officers and

members of the state board of agriculture and date of publishing premium list.

Also:

Senate File 162, a bill for an act to amend the law as it appears in chapter 154 of the acts of the 37th general assembly of Iowa, and to repeal section twenty-nine hundred six (2906), of the code, enacting a substitute therefor, relative to the filing of chattel mortgages, bills of sale or other instruments affecting the title to or incumbrance of personal property and providing fees to be paid therefor, and repealing all laws or parts of laws in conflict herewith.

EUGENE SCHAFFTER, *Chairman*.

Adopted.

### THIRD READING OF BILLS.

On motion of Senator Whitmore, House File No. 417, a bill for an act to amend section 2507 of the supplemental supplement to the code fixing the salary of the chief oil inspector and his clerk or stenographer and making an appropriation to pay the expenses and salaries provided for in said section, with report of appropriations committee recommending passage, was taken up, considered, and the report of the committee adopted.

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

On the question, "Shall the bill pass?" the vote was:

Ayes, 26.

Adams	Holdoegel	Reed
Anderson	Kimball	Rule
Balkema	Kimberly	Schaffter
Ball	Meredith	Stoddard
Byington	Mitchell	Taylor
Evans	Nelson	Van Alstine
Fellows	Parker	White
Frailey	Proudfoot	Whitmore
Greenell	Rainbow	

Nays, 5.

Arney	Kingland	Wilson
Cessna	LeCompte	

## Absent or not voting, 19.

Ball	Hale	Ratcliff
Brookhart	Haskell	Scott
Buser	Horchem	Shane
Coburn	Newberry	Smith
Edwards	Pitt	Stephenson
Foskett	Price	Thompson
Foster		

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

Senator Whitmore moved that the vote by which House File No. 417 passed the Senate be reconsidered and that the motion to reconsider be laid on the table.

The motion prevailed.

On motion of Senator Ratcliff, Senate took a recess for ten minutes.

Senator Parker took the chair.

Senators Stoddard and Greenell were appointed to escort Lieutenant Governor Moore to the chair.

In presenting to the lieutenant governor a beautiful silver salver, Senator Wilson spoke as follows:

In all my career in the Senate, nothing has given me more pleasure than I experience at this moment in presenting to our presiding officer, this token of our friendship and regard. I believe no presiding officer has ever been more fair and impartial in his rulings, and we extend to him our appreciation and best wishes.

His association with us has been of such a character as to commend it to our good judgment. We certainly feel that we ought to express our appreciation of the character of such services. We look forward with pleasure to the time when as chief executive of the state we shall reflect with pride on his services as presiding officer of this body.

President Moore said in response:

My friends, I would rather call you that than by the more formal term of senator, I am much like the man who took both sedlitz powders at once, full to overflowing but without the power of expression.

I cannot even attempt to properly thank you for this evidence of your kindness. Much more than the gift, beautiful as it is, I appreciate the spirit that prompted it.

It is with mixed feelings that I see the last hour of this session drawing to a close. I have been during two sessions, particularly during this session, so closely associated with you men, have understood your difficulties have been able to enter into the spirit of your work so that I appreciate, if no one else does, the honesty of your efforts and the value of what you have accomplished.

Some of you, like myself, are approaching the close of your legislative service. Many of you with the close of this session will retire from public life. This is probably my last day as presiding officer here. Like you, I am going back to my regular work. I will be glad to do it, but I will take with me satisfaction in the conviction that I have done the best I could. We all make mistakes and I have made my share. You, no doubt, have made yours. What I would like to ask of the people of Iowa, is what I know I could ask of you and receive, that they consider our problems, our accomplishments and our mistakes and temper their criticism with commendation. I know that you will grant to me in my mistakes the charity that you expect for any that you have made.

Now let me say this to you. Either officially or otherwise, I have been associated or acquainted with legislatures for sixteen years. I have known more or less intimately most of those who have served in this chamber during that time. I have never seen a Senate where there was manifested a more conscientious effort to further the best interests of the state or one that has accomplished more. It is unfortunate that men who serve the public are more often criticized than commended. There is always the small-souled, narrow-minded man filled with venom who fills the air with captious criticism and who is blind to anything good. This discourages many good men with public service, but it should not. The great body of our people are right minded and will be just.

Let me say to you all and particularly to the younger senators who will be here again, to not fear criticism. Dodge no question, be frank and honest and vote your convictions and you will have the commendation of your own conscience and that, in the end, is of the most importance.

Now, my friends, I want to again thank you for this gift and for your many, many kindnesses to me. After we leave here many of us may not meet again. I hope you will carry away as pleasant recollections of this session as I do. I respect you all; I admire many of you and I love you all. I trust that I carry home with me not only your friendship but your charitable commendation.

#### REFUSE TO CONCUR ON SENATE FILE NO. 309.

Senator Brookhart called up Senate File No. 309, amended by the House, and moved that the Senate refuse to concur in the following House amendment:



Amend by striking from line 2, section 3, the words "three, of whom the Adjutant General of Iowa shall be one," and inserting in lieu thereof the following words: "five, consisting of L. G. Lasher, Adjutant General, W. S. Reiley of Red Oak, Iowa, Ellyson Green, of Winterset, Iowa, C. S. Walker of Des Moines, and Colonel E. R. Bennett, of Des Moines,

On the question, "Shall the Senate refuse to concur?" the vote was:

Ayes, 40.

Adams	Holdoegel	Reed
Anderson	Horchem	Rule
Arney	Kimball	Shane
Balkema	Kingland	Smith
Ball	LeCompte	Stephenson
Brookhart	Meredith	Stoddard
Buser	Mitchell	Taylor
Byington	Nelson	Thompson
Cessna	Newberry	Van Alstine
Coburn	Pitt	White
Edwards	Price	Whitmore
Fellows	Proudfoot	Wilson
Fralley	Rainbow	
Hale	Ratcliff	

Nays, none.

Absent or not voting, 10.

Broxam	Greenell	Parker
Evans	Haskell	Schaffter
Foskett	Kimberly	Scott
Foster		

The Senate refused to concur.

#### MESSAGE FROM THE HOUSE.

The following message was received from the House:

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

Senate File No. 536, a bill for an act to reimburse Charles W. Mullen for expenses incurred in the performance of his official duties.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 459, a bill for an act relating to militia allowance.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 510, a bill for an act providing state aid to certain school districts.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 522, a bill for an act extending the duties of the Superintendent of Public Instruction.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 449, a bill for an act relating to compensation of members of the State Highway Commission.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 282, a bill for an act providing for an appropriation for standardizing rural schools.

#### HOUSE AMENDMENT.

I move to amend substitute for Senate File No. 282 by striking out of lines 6 and 7 of section 1 the word "nine" and inserting the word "eight" in lieu thereof.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 533, a bill for an act relative to appropriation for support of the weather and crop service bureau.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 appropriating money in payment of costs of survey of river bed in East Omaha.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 532, a bill for an act appropriating funds for railroad commission.

#### HOUSE AMENDMENT.

Amend by striking from section 1, lines 2 and 3, the words and figures "one hundred thirteen thousand nine hundred (\$113,900.00) Dollars" and inserting in lieu thereof the sum of "eighty-five thousand seven hundred dollars (\$85,700.00)".

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to 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 providing for the collection of the collateral inheritance tax.

W. C. RAMSAY, *Chief Clerk.*

#### TESTIMONY FILED.

Senator Evans filed the testimony and exhibits in the matter of the investigation of the state game warden.

## REPORT OF COMMITTEE ON RETRENCHMENT AND REFORM.

MR. PRESIDENT—Your committee on retrenchment and reform beg leave to make report as follows:

That we recommend the following repairs on the State House buildings on the Capitol Grounds:

Urinals in the House and Senate, same as in Gent's toilet on the basement floor, estimated cost.....	\$500.00
Repairs on boilers, resetting, new tubes, etc., estimated cost....	500.00
Repairs to the engines.....	400.00
Window stops for State House, with slotted holes.....	300.00
Prism glass for the State House and engine room.....	1000.00
Mason work on State House.....	2000.00
Drinking fountain for House and Senate.....	200.00
Repairs to sky light east of dome.....	500.00
Fire Hose .....	340.00
Elevator floor locks .....	450.00
For repairing or replacing art window in Historical Building....	800.00
For painting inside of Historical Building.....	1500.00
Book stack for Law Library.....	300.00

CLEM F. KIMBALL, *Chairman*.

## HOUSE AMENDMENT CONCURRED IN.

Senator Evans called up Senate File No. 282, amended by the House, and moved that the Senate concur in the following House amendment:

I move to amend substitute for Senate File No. 282 by striking out of lines six and seven of section one the word "nine" and inserting the word "eight" in lieu thereof.

On the question, "Shall the Senate concur?" the vote was:

Ayes, 35.

Adams	Foskett	Rainbow
Anderson	Foster	Reed
Arney	Fralley	Rule
Balkema	Greenell	Schaffter
Ball	Hale	Scott
Buser	Haskell	Smith
Byington	Holdoegel	Stephenson
Cessna	Kingland	Thompson
Coburn	LeCompte	White
Edwards	Meredith	Whitmore
Evans	Nelson	Wilson
Fellows	Newberry	

Nays, none.

Absent or not voting, 15.

Brookhart	Mitchell	Ratcliff
Broxam	Parker	Shane
Horchem	Pitt	Stoddard
Kimball	Price	Taylor
Kimberly	Proudfoot	Van Alstine

The House amendment, having received a constitutional majority, was declared to have been concurred in by the Senate.

SENATE FILE NO. 286 REFERRED.

Senator Parker moved that Senate File No. 286 be referred to the sifting committee.

The motion prevailed.

CONFERENCE REPORT ON SENATE FILE NO. 203.

*To the President of the Senate:*

We, the undersigned, your second conference committee on the part of the Senate, to whom was referred Senate File No. 203, a bill for an act making appropriations for the State University of Iowa, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers College, the Iowa College for the Blind and Iowa School for the Deaf, beg leave to report that they have met and conferred with a like committee from the House and discussed and considered the House amendments to the said bill, and that they are unable to agree to the House amendments. We therefore recommend that the House amendments be not concurred in.

A. M. FELLOWS,  
GEO. W. BALL,  
J. A. NELSON,  
JNO. R. PRICE.

HOUSE AMENDMENTS REFUSED.

Senator Evans called up Senate File No. 541, amended by the House, and moved that the Senate refuse to concur in the following House amendments:

Amendment No. 1. By inserting in Section 1 as line two as the paragraph headings "For the Office of Auditor of State", "For the office of Secretary of State", and "Office of Treasurer of State", the following: "As a member of the Executive Council.....\$600.00

Amendment No. 2. By striking out of line one of the subdivision relating to the office of oil inspector the figures \$1800.00 and inserting in lieu thereof the figures \$2200.00.

Amendment No. 3. By striking out of line one of the paragraph headed "For the office of clerk of Supreme Court" the figures "3000" and inserting in lieu thereof the figures "3600". Also by striking out of line 2 of the paragraph headed "For the office of clerk of Supreme Court" the figures "2000" and inserting in lieu thereof the figures "2400".

Amendment No. 4. By striking from the 12th line of that part of Section one referring to the office of the Board of Control the word "four" and inserting in lieu thereof the word "five", the same having reference to the stenographers in the office of the Board of Control.

Amendment No. 5. By striking out the figures "\$1400." in the third line of the paragraph headed office of Executive Council and inserting in lieu thereof the figures "\$1500".

Amendment No. 6. By striking out the words "for clerk hire" in the last line on page 2228 of said Journal and to substitute therefor the following: "as a contingent fund to be paid out on order of the Chief Justice".

Amendment No. 7. Amend by striking from the first line of the paragraph headed "Office of Insurance Commissioner the figures "\$3000.00" and inserting the figures "\$3600.00".

Amendment No. 8. Amend by striking from lines three and four in paragraph headed "For Office of Board of Parole the figures "\$2000.00" and inserting the figures \$2200.00".

Amendment No. 9. By striking from line two of the paragraph headed State Board of Education the figures \$3600.00" and insert the figures "\$3000.00".

Amendment No. 10. By adding to the Appropriation section the following: "Provided, however, that nothing in this section shall be construed as an appropriation of money herein mentioned that is provided for by existing appropriations for any department.

Amendment No. 11. Amend Senate File No. 541 by striking from line two (2) under the section headed "For the Office of the Attorney General" the figures 3800.00, and inserting in lieu thereof the figures 4000.00;

Also by striking from line three (3) the figures 3000.00, and inserting in lieu thereof the figures 3500.00;

Also by striking out the word two (2) at the beginning of line six (6), and inserting in lieu thereof the word three (3);

Also by adding at the end of the section headed "For the Office of Board of Control" the following:

One lecturer on tuberculosis, salary not to exceed 2400.00.

One stenographer, salary from 960.00 to 1200.00;

Also by adding at the end of the section headed "For the Office of Document Editor" the following:

One assistant document editor, salary not to exceed 2000.00;

Also by striking out the figures 2400.00 in line five (5) of section headed "Dairy and Food Department", and inserting in lieu thereof the figures 2100.00;

Also by striking out the figures 3300.00 at the end of line one (1) of section headed "Office of Industrial Commissioner", and inserting in lieu thereof the figures 3600.00;

Also by striking out the figures 2400.00 at the end of line ten (10) of section headed "For Office of Executive Council", and inserting in lieu thereof the figures 2500.00;

Also by striking out the figures 1600.00 at the end of line three (3) of section headed "Office of Superintendent of Public Instruction", and inserting in lieu thereof the figures 1800.00;

Also by inserting after the word "Secretary" in line three (3) of the section headed "State Board of Health" the following: "(not including service as secretary of Board of Medical Examiners and Embalmers' Committee)".

On the question, "Shall the Senate refuse to concur?" the vote was:

Ayes, 36.

Adams	Fellows	Proudfoot
Anderson	Fralley	Rainbow
Arney	Greenell	Ratcliff
Balkema	Hale	Reed
Ball	Haskell	Rule
Brookhart	Kimball	Schaffter
Buser	Kingland	Scott
Byington	LeCompte	Stephenson
Cessna	Meredith	Thompson
Coburn	Nelson	White
Edwards	Newberry	Whitmore
Evans	Parker	Wilson

Nays, none.

Absent or not voting, 14.

Broxam	Kimberly	Smith
Foskett	Mitchell	Stoddard
Foster	Pitt	Taylor
Holdoegel	Price	Van Alstine
Horchem	Shane	

The Senate refused to concur in the House amendments.

## CONFERENCE COMMITTEE ON SENATE FILE NO. 541.

The president appointed as members of a conference committee on Senate File 541, on the part of the Senate, Senators Anderson, Edwards, Haskell and Smith.

## REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, from the committee on enrolled bills, submitted the following report, and moved its adoption:

MR. PRESIDENT—Your committee on enrolled bills respectfully report they have examined and find correctly enrolled, Senate File No. 437, a bill for an act to amend the law as it appears in Sections Two Hundred Fifty (250), Three Thousand Two Hundred Sixty One (3261) and Three Thousand Two Hundred Eighty Three (3283) of the Code and providing for the admission to probate of wills of decedents by clerks of the district court.

Also:

Senate File No. 329, a bill for an act to provide for the regulation of traffic in and the licensing of dealers in eggs; to prevent fraud and misrepresentation in dealing in, and to prevent the sale of eggs unfit for human food.

Also:

Senate File No. 525, a bill for an act to better provide for the care and detention of feeble minded persons.

Also:

Senate File No. 72, a bill for an act appropriating the sum of sixty-seven and 0-100 dollars (\$67.00), in payment of cost of survey of river bed in East Omaha.

Also:

Senate File No. 449, a bill for an act to amend the law as it appears in section fifteen hundred twenty-seven-s1 (1527-s1), Supplement to the Code, 1913, relative to the compensation of members of the State Highway Commission.

Also:

Senate File No. 532, a bill for an act making appropriation of funds to enable the state railroad commission to investigate and prosecute interstate cases and to investigate and determine all cases within its jurisdiction.



Also:

Senate File No. 537, a bill for an act to provide for the collection of the collateral inheritance tax and making appropriation therefor.

Also:

Senate File No. 536, a bill for an act to reimburse Charles W. Mullan, Judge of the District Court of the Tenth Judicial District for expenses incurred in the performance of his official duties, from October 4, 1915, to April 18, 1918, and providing for payment thereof.

Also:

Senate File No. 522, a bill for an act to amend Section twenty-six hundred twenty-seven-c (2627-c), Supplement to the Code, 1913, for the purpose of extending the duties of the Superintendent of Public Instruction, relating to the furnishing of information relative to regulating teaching and vacancies in teachers' positions, and prescribing the manner of performing the same.

Also:

Senate File No. 459, a bill for an act amending section nine (9) Chapter three hundred fourteen (314) Acts of the Thirty-Seventh General Assembly, relating to Militia allowances and the Military Code of Iowa.

Also:

Senate File No. 533, a bill for an act to amend section sixteen hundred eighty-one (1681), Supplement to the Code, 1913, relative to the appropriation for the support of the Weather and Crop Service Bureau.

Also:

Senate File No. 510, a bill for an act to encourage boards to provide the school children of their respective districts with agricultural training work and recreation in the manner contemplated by Chapter 14-E, Title XIII, Supplemental Supplement to the Code, 1915, providing state aid to all such school districts, fixing the terms and conditions under which such state aid shall be granted, and appropriating the sum of Two Thousand Dollars (\$2,000.00) to carry out the purpose of this act.

Also:

Senate File No. 282, a bill for an act providing for the standardization of rural schools and granting state aid and providing for an appropriation therefor.

Also:

Senate File No. 497, a bill for an act relating to fraternal beneficiary societies, and providing a method whereby such fraternal beneficiary socie-

ties may be reincorporated as a legal reserve level premium life insurance company.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 72, a bill for an act appropriating the sum of sixty-seven and 0-100 dollars (\$67.00), in payment of cost of survey of river bed in East Omaha.

Also:

Senate File No. 449, a bill for an act to amend the law as it appears in section fifteen hundred twenty-seven-s1 (1527-s1), Supplement to the Code, 1913, relative to the compensation of members of the State Highway Commission.

Also:

Senate File No. 532, a bill for an act making appropriation of funds to enable the state railroad commission to investigate and prosecute interstate cases and to investigate and determine all cases within its jurisdiction.

Also:

Senate File No. 537, a bill for an act to provide for the collection of the collateral inheritance tax and making appropriation therefor.

Also:

Senate File No. 536, a bill for an act to reimburse Charles W. Mullan, Judge of the District Court of the Tenth Judicial District for expenses incurred in the performance of his official duties, from October 4, 1915, to April 18, 1918, and providing for payment thereof.

Also:

Senate File No. 522, a bill for an act to amend Section twenty-six hundred twenty-seven-c (2627-c), Supplement to the Code, 1913, for the purpose of extending the duties of the Superintendent of Public Instruction, relating to the furnishing of information relative to regulating teaching relating to the furnishing of information relative to regulating teaching and vacancies in teachers' positions, and prescribing the manner of performing the same.

Also:

Senate File No. 459, a bill for an act amending section nine (9) Chapter three hundred fourteen (314) Acts of the Thirty-Seventh General Assembly, relating to Militia allowances and the Military Code of Iowa.

Also:

Senate File No. 533, a bill for an act to amend section sixteen hundred eighty-one (1681), Supplement to the Code, 1913, relative to the appropriation for the support of the Weather and Crop Service Bureau.

Also:

Senate File No. 510, a bill for an act to encourage boards to provide the school children of their respective districts with agricultural training work and recreation in the manner contemplated by Chapter 14-E, Title XIII, Supplemental Supplement to the Code, 1915, providing state aid to all such school districts, fixing the terms and conditions under which such state aid shall be granted, and appropriating the sum of Two Thousand Dollars (\$2,000.00) to carry out the purpose of this act.

Also:

Senate File No. 282, a bill for an act providing for the standardization of rural schools and granting state aid and providing for an appropriation therefor.

Also:

Senate File No. 497, a bill for an act relating to fraternal beneficiary societies, and providing a method whereby such fraternal beneficiary societies may be reincorporated as a legal reserve premium life insurance company.

Also:

Senate File No. 437, a bill for an act to amend the law as it appears in Sections Two Hundred Fifty (250), Three Thousand Two Hundred Sixty One (3261) and Three Thousand Two Hundred Eighty-Three (3283) of the Code and providing for the admission to probate of wills of decedents by clerks of the district court.

Also:

Senate File No. 329, a bill for an act to provide for the regulation of traffic in and the licensing of dealers in eggs; to prevent fraud and misrepresentation in dealing in, and to prevent the sale of eggs unfit for human food.

Also:

Senate File No. 525, a bill for an act to better provide for the care and detention of feeble minded persons.

EUGENE SCHAFFER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

## BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate Files Nos. 329, 437, 525, 497, 282, 510, 533, 459, 522, 536, 532, 537, 449 and 72.

## BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

MR. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 19th day of April, 1919, sent to the governor for his approval, Senate File No. 72, a bill for an act appropriating the sum of sixty-seven and 0-100 dollars (\$67.00), in payment of cost of survey of river bed in East Omaha.

Also:

Senate File No. 449, a bill for an act to amend the law as it appears in section fifteen hundred twenty-seven-s1 (1527-s1), Supplement to the Code, 1913, relative to the compensation of members of the State Highway Commission.

Also:

Senate File No. 532, a bill for an act making appropriation of funds to enable the state railroad commission to investigate and prosecute interstate cases and to investigate and determine all cases within its jurisdiction.

Also:

Senate File No. 537, a bill for an act to provide for the collection of the collateral inheritance tax and making appropriation therefor.

Also:

Senate File No. 536, a bill for an act to reimburse Charles W. Mullan, Judge of the District Court of the Tenth Judicial District for expenses incurred in the performance of his official duties, from October 4, 1915, to April 18, 1918, and providing for payment thereof.

Also:

Senate File No. 522, a bill for an act to amend Section twenty-six hundred twenty-seven-c (2627-c), Supplement to the Code, 1913, for the purpose of extending the duties of the Superintendent of Public Instruction, relating to the furnishing of information relative to regulating teaching and vacancies in teachers' positions, and prescribing the manner of performing the same.

Also:

Senate File No. 459, a bill for an act amending section nine (9) Chapter three hundred fourteen (314) Acts of the Thirty-Seventh General Assembly, relating to Militia allowances and the Military Code of Iowa.

Also:

Senate File No. 533, a bill for an act to amend section sixteen hundred eighty-one (1681), Supplement to the Code, 1913, relative to the appropriation for the support of the Weather and Crop Service Bureau.

Also:

Senate File No. 510, a bill for an act to encourage boards to provide the school children of their respective districts with agricultural training work and recreation in the manner contemplated by Chapter 14-E, Title XIII, Supplemental Supplement to the Code, 1915, providing state aid to all such school districts, fixing the terms and conditions under which such state aid shall be granted, and appropriating the sum of Two Thousand Dollars (\$2,000.00) to carry out the purpose of this act.

Also:

Senate File No. 437, a bill for an act to amend the law as it appears in Sections Two Hundred Fifty (250), Three Thousand Two Hundred Sixty One (3261) and Three Thousand Two Hundred EightyThree (3283) of the Code and providing for the admission to probate of wills of decedents by clerks of the district court.

Also:

Senate File No. 329, a bill for an act to provide for the regulation of traffic in and the licensing of dealers in eggs; to prevent fraud and misrepresentation in dealing in, and to prevent the sale of eggs unfit for human food.

Also:

Senate File No. 525, a bill for an act to better provide for the care and detention of feeble minded persons.

Also:

Senate File No. 282, a bill for an act providing for the standardization of rural schools and granting state aid and providing for an appropriation therefor.

Also:

Senate File No. 497, a bill for an act relating to fraternal beneficiary societies, and providing a method whereby such fraternal beneficiary so-

cieties may be reincorporated as a legal reserve level premium life insurance company.

EUGENE SCHAFFER, *Chairman.*

Adopted.

#### CONFERENCE COMMITTEE REPORT.

Senator Anderson presented the following report:

MR. PRESIDENT—Your conference committee, to whom was referred S. F. 541 beg leave to report that they have had the same under consideration and recommend the adoption of the following amendments:

By striking out of line one of the sub-division relating to the office of oil inspector the figures \$1800.00 and inserting in lieu thereof the figures \$2200.00.

By striking from the 12th line of that part of Section one referring to the office of the Board of Control the word "four" and inserting in lieu thereof the word "five", the same having reference to the stenographers in the office of the Board of Control.

By striking out the figures "\$1400." in the third line of the paragraph headed Office of Executive Council and inserting in lieu thereof the figures "\$1500".

By striking out the words "for clerk hire" in the last line of paragraph headed "Supreme Court" and to substitute therefor the following "as a contingent fund to be paid out on order of the Chief Justice".

By striking from the first line of the paragraph headed "Office of Insurance Commissioner the figures "3000.00" and inserting the figures \$3600.00".

By adding to the Appropriation section the following: "Provided, however, that nothing in this section shall be construed as an appropriation of money herein mentioned that is provided for by existing appropriations for any department."

By striking from line two (2) under the section headed "For the Office of the Attorney General" the figures \$3500.00 and inserting in lieu thereof the figures \$4000.00.

By striking from line three (3) the figures \$3000.00 and inserting in lieu thereof the figures \$3500.00.

By striking out the word two (2) at the beginning of line seven (7) and inserting in lieu thereof the word three (3).

By adding at the end of the section headed "For the Office of the Board of Control" the following:

One lecturer on tuberculosis, salary not to exceed \$2400.00.

One stenographer salary from \$960 to \$1200.

By striking out the figures \$2400.00 in line five (5) of section headed "Dairy and Food Department" and inserting in lieu thereof the figures 2100.

By striking out the figures 1600.00 at the end of line four (4) of section headed "Office of Superintendent of Public Instruction" and inserting in lieu thereof the figures 1800.00.

W. W. ANDERSON,  
W. G. HASKELL,  
BEN EDWARDS,  
E. A. LARSON,  
R. F. PRICE,  
ED M. SMITH,  
J. A. WILLIAMS,  
H. B. MORGAN.

On motion of Senator Anderson the report of the conference committee was adopted.

Senator Anderson moved that the amendments proposed by the conference committee be adopted and concurred in.

Senator Anderson invoked rule 8.

On the question, "Shall the amendments be adopted?" the vote was:

Ayes, 28.

Anderson	Foster	Parker
Balkema	Fralley	Rainbow
Ball	Greenell	Ratcliff
Brookhart	Hale	Reed
Broxam	Haskell	Schaffter
Coburn	Holdoegel	Shane
Edwards	Horchem	Stoddard
Evans	Meredith	White
Fellows	Newberry	Wilson
Foskett		

Nays, 11.

Arney	Kimball	Rule
Buser	Kingland	Smith
Byington	LeCompte	Stephenson
Cessna	Proudfoot	

Absent or not voting, 11.

Adams	Pitt	Thompson
Kimberly	Price	Van Alstine
Mitchell	Scott	Whitmore
Nelson	Taylor	

The committee amendments, having received a constitutional majority, were declared to have been adopted and concurred in by the Senate.

NEW CONFERENCE COMMITTEE ON SENATE FILE NO. 203.

The conference committee on Senate File No. 203, having failed to agree, the committee was discharged and a new conference committee appointed, on the part of the Senate as follows:

Senators Fellows, Nelson, Ball and Ratcliff.

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 return of Senate File No. 544.

W. C. RAMSAY, *Chief Clerk.*

On motion of Senator Proudfoot, the request was granted.

HOUSE AMENDMENTS CONCURRED IN.

Senator Foskett called up Senate File No. 532, amended by the House, and moved that the Senate concur in the following House amendment:

Amend by striking from section 1, lines 2 and 3, the words and figures "one hundred thirteen thousand nine hundred (\$113,900.00) Dollars" and inserting in lieu thereof the sum of "eighty-five thousand seven hundred dollars (\$85,700.00)".

On the question, "Shall the Senate concur?" the vote was:

Ayes, 28.

Adams	Greenell	Rainbow
Anderson	Hale	Reed
Arney	Haskell	Rule
Balkema	Holdoegel	Schaffter
Buser	Horchem	Scott
Byington	Kimball	Stephenson
Cessna	LeCompte	Thompson
Coburn	Parker	Whitmore
Foskett	Proudfoot	Wilson
Fralley		

Nays, none.



Absent or not voting, 22.

Ball	Kingland	Ratcliff
Brookhart	Meredith	Shane
Broxam	Mitchell	Smith
Edwards	Nelson	Stoddard
Evans	Newberry	Taylor
Fellows	Pitt	Van Alstine
Foster	Price	White
Kimberly		

The House amendment, having received a constitutional majority, was declared to have been concurred in by the Senate.

#### CORRECTION OF JOURNAL.

The journal of April 18th was corrected and approved.

On motion of Senator Kimball, Senate took a recess for ten minutes.

#### 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 Concurrent Resolution expressing appreciation of the enterprise and hospitality of Sioux City.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has receded from its amendments to Senate File No. 203, a bill for an act making appropriations for state educational institutions.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill, in which the concurrence of the House was asked:

Senate File No. 545, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by executive council.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House had adopted

the report and amendments proposed by the conference committee on Senate File No. 541.

W. C. RAMSAY, *Chief Clerk.*

Also:

I am directed to inform your honorable body that the House has passed the following bill in which the concurrence of the House was asked:

Senate File No. 525, a bill for an act providing for the care and detention of feeble minded persons.

W. C. RAMSAY, *Chief Clerk.*

Also:

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. 484, a bill for an act relating to licensing and qualifications of insurance agents.

W. C. RAMSAY, *Chief Clerk.*

On motion of Senator Rule Senate took a recess for ten minutes.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter 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. 202, a bill for an act to provide for the determination of location, plans and specifications and division of cost for highway improvements by the state highway commission, on or across boundary lines of adjoining counties where said counties are unable to agree.

Also:

House File No. 344, a bill for an act to amend section two thousand seven hundred thirty-four-p1 (2734-p1), supplement to the code, 1913, relating to teaching experience; to repeal section two thousand seven hundred thirty-four-p2 (2734-p2) supplement to the code, 1913, relating to provisional certificates; and to amend section two thousand seven hundred thirty-four-s (2734-s), supplement to the code, 1913, relating to special examinations.

Also:

House File No. 433, a bill for an act to amend the law as it appears in sections four hundred nine-c (409-c), four hundred nine-d (409-d), four hundred nine-q (409-q), four hundred nine-s (409-s), supplement to the code, 1913, and to add to said chapter and title as additional to sections four hundred nine-u (409-u), relating to the care of tuberculosis.

Also:

House File No. 510, a bill for an act to provide for establishing a warning card to be placed on any house, dwelling or place, regarding a communicable disease, where the attending physician is in doubt as to the proper diagnosis, or the householder or person having a communicable disease is in doubt as regards the diagnosis when no physician has been in attendance.

Also:

House File No. 570, a bill for an act to legalize an ordinance of the incorporated city of Oelwein, Iowa, granting a franchise to the Oelwein Light, Heat and Power Company, a corporation, its successors or assigns, to acquire, construct, reconstruct, maintain and operate an electric light and power plant in said city.

Also:

House File No. 568, a bill for an act legalizing a grant of the board of supervisors of Buchanan County, Iowa, pursuant to resolution of said board of January 10, 1916, granting to the Fayette County Utilities Company, a corporation, its successors and assigns, the right to construct, operate and maintain a transmission line for the purpose of conducting electricity for light, heat and power purposes over and along that part of a certain public highway commonly known as the Oelwein-Independence Highway, from the north line of Buchanan County to the north corporate line of the town of Hazelton, lying wholly within the said county of Buchanan.

Also:

House File No. 325, a bill for an act to authorize the executive council to contract for and cause to be installed an electrical and mechanical system for registration of votes of members of the assembly.

Also:

House File No. 372, a bill for an act for the purpose of having a patent issue in the name of Ransom L. Hogate for a certain tract of land.

Also:

House File No. 565, a bill for an act to amend section seven hundred twenty (720), supplement to the code, 1913, granting cities under ten thousand (10,000) population owning their own water plant the right to utilize the exhaust steam and excess power in the manufacture of artificial ice.

Also:

House File No. 567, a bill for an act to legalize certain warrants of the independent school district of Fairbank, Buchanan, Fayette, Black Hawk and Bremer Counties, Iowa.

Also:

House File No. 569, a bill for an act to legalize an ordinance of the incorporated town of Hazelton, Iowa, granting a franchise to the Fayette County Utilities Company, its successors and assigns, to maintain and operate an electric light, heat and power plant in said town.

Also:

House File No. 420, a bill for an act to repeal section fifteen hundred twenty-seven-d (1527-d), supplement to the code, 1913, and to enact a substitute therefor, relating to electric light and power transmission lines, and increasing the penalty for violation of section 1527-c supplement to the code, 1913.

Also:

House File No. 560, a bill for an act to provide for the improving of public highways extending through or adjacent to lands belonging to state institutions including draining, grading, oiling, or paving.

Also:

House File No. 564, a bill for an act relating to the term of office of the state document editor, amending section one hundred forty-four-e (144-e) supplemental supplement to the code, 1915.

Also

House File No. 550, a bill for an act to repeal chapter two-B (2-B) of title VIII of the supplement to the code, 1913, relating to the licensing and regulation of motor vehicles and to enact a substitute therefor and prescribing penalties for the violation thereof.

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed House Files Nos. 202, 344, 433, 510, 570, 568, 325, 372, 565, 567, 569, 420, 560, 564 and 550.

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 541, a bill for an act fixing the number and compensation of employees in the State Departments at the seat of Government, and the compensation of certain officers.

Also:

Senate File No. 545, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by Executive Council.

Also:

Senate File No. 203, a bill for an act making appropriations for the State University of Iowa, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers College, the Iowa College for the Blind, and the Iowa School for the Deaf.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 541, a bill for an act fixing the number and compensation of employees in the State Departments at the Seats of Government, and the compensation of certain officers.

Also:

Senate File No. 545, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by Executive Council.

Also:

Senate File No. 203, a bill for an act making appropriations for the State University of Iowa, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers College, the Iowa College for the Blind, and the Iowa School for the Deaf.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*  
WILL L. KING,  
*Chairman House Committee.*

#### REPORT OF JOINT COMMITTEE ON ENROLLED BILLS.

Senator Schaffter, 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. 573, a bill for an act to make appropriation for the payment of state and other expenses.

EUGENE SCHAFFTER,  
*Chairman Senate Committee.*

WILL L. KING,  
*Chairman House Committee.*

Adopted.

#### BILLS SIGNED BY PRESIDENT.

The president announced that as president of the Senate, in the presence of the Senate, he had signed Senate Files Nos. 203, 541, 545 and House File No. 573.

#### BILLS SENT TO THE GOVERNOR.

Senator Schaffter, from the committee on enrolled bills, submitted the following report:

Mr. PRESIDENT—Your committee on enrolled bills respectfully report that they have on this 19th day of April, 1919, sent to the governor for his approval, Senate File No. 541, a bill for an act fixing the number and compensation of employees in the State Departments at the seats of Government, and the compensation of certain officers.

Also:

Senate File No. 545, a bill for an act designating and fixing the amount of revenue for general state purposes for which levy is to be made by Executive Council.

Also:

Senate File No. 203, a bill for an act making appropriations for the State University of Iowa, the Iowa State College of Agriculture and Mechanic Arts, the Iowa State Teachers' College, the Iowa College for the Blind, and the Iowa School for the Deaf.

EUGENE SCHAFFTER, *Chairman.*

Adopted.

#### REPORT OF COMMITTEE.

Senator Holdoegel submitted the following report:

Mr. PRESIDENT—Your committee on departmental affairs, to which was assigned the duty of making a study of the various departments and which

investigated certain conditions with reference to the campaign contributions in various elective offices submit this, their final report:

That owing to the lack of time, they were unable to complete the investigation which they began. That they have submitted all the evidence which they have received and taken in connection with the investigation of campaign funds, that part of the testimony as transcribed has heretofore been filed and that they file herewith the testimony taken on April 14th, also correspondence received thereafter, together with the affidavit of G. Watson French and certain checks referred to by him in his affidavit.

We have heretofore made reports in particular instances, all of which are on file, together with the evidence in connection therewith.

Your committee has endeavored to make as careful a study of the different departments of the state government as would be possible in the limited time and find that many of the departments, in the best of our judgment, are in first class condition. However, realizing that necessarily this study has been hurried and in many particulars is incomplete, it is recommended that the work undertaken by your committee on departmental affairs be continued by the committee on retrenchment and reform.

P. C. HOLDOEGEL, *Chairman.*

#### EXCHANGE OF SEATS.

By unanimous consent, Senator Buser exchanged seat No. 24 for seat No. 30, effective at the beginning of the next regular session.

#### COMMITTEE TO NOTIFY HOUSE.

Senator Frailey moved that a committee of three be appointed to notify the House that the Senate was ready to adjourn sine die.

The motion prevailed and the president appointed as such committee Senators Frailey, Adams and Holdoegel.

#### COMMITTEE TO NOTIFY GOVERNOR.

Senator Newberry moved that a committee of three be appointed to wait upon the governor and ascertain whether or not he had any further communications to lay before the Senate and to notify him that the Senate was ready to adjourn sine die.

The motion prevailed and the president appointed as such committee Senators Newberry, Thompson and Rule.

## REPORTS OF SPECIAL COMMITTEES.

Senator Frailey from the special committee appointed to notify the House that the Senate was ready to adjourn returned and announced that they had performed that duty.

Senator Newberry from a special committee appointed to wait upon the governor reported that the committee had performed their duty and that the governor had informed them that he had no further communication to lay before the Senate.

The reports were received and the committees discharged.

## MESSAGE FROM THE HOUSE.

A committee from the House appeared and announced that the House was ready to adjourn sine die.

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## FINAL ADJOURNMENT.

The hour of 12 o'clock noon having arrived, President Moote declared the Senate of the thirty-eighth general assembly adjourned sine die.



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# IN MEMORIAM

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## Iowa State Senate

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JAMES LORING CARNEY.....	July	29, 1847-Sept.	19, 1917
GEORGE CARSON .....	Feb.	5, 1841-Feb.	18, 1919
GILBERT S. GILBERTSON.....	Oct.	17, 1863-Nov.	25, 1917
JOHN HERRIOTT .....	Oct.	20, 1844-Sept.	24, 1918
GILMAN L. JOHNSON.....	June	21, 1848-Aug.	14, 1918
EDWARD P. McMANUS.....	June	20, 1857-Jan.	8, 1918
JAMES ALBERT SMITH.....	Feb.	4, 1851-Jan.	12, 1918
MARION FLOYD STOOKEY.....	Mar.	19, 1846-April	2, 1919
JOSEPH HENRY SWENEY.....	Oct.	2, 1845-Nov.	11, 1917
FREDRICK TOWNSEND .....	July	1, 1863-Nov.	13, 1918
JOHN CRAMMER VOORHEES.....	May	18, 1865-Nov.	21, 1918

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# JOURNAL OF THE SENATE

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## MEMORIALS

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SENATE CHAMBER,  
DES MOINES, IOWA, APRIL 15, 1919.

In accordance with a resolution duly adopted on April 10th the Senate met in memorial session at 8:00 p. m. President pro tem Wallace H. Arney presiding.

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### JAMES LORING CARNEY.

Senator Arney, from a special committee submitted the following report and moved its adoption :

MR. PRESIDENT—Your committee appointed to draft resolutions commemorative of the life, character and services of James Loring Carney, beg leave to submit the following report:

James Loring Carney, a member of the Twenty-sixth and Twenty-seventh General Assemblies, 1896-1898, also the special session of the Twenty-sixth in 1897, died in Marshalltown, Iowa, September 19, 1917, age seventy, the funeral services taking place on Thursday following in Marshalltown, his home city since 1873.

Mr. Carney was a native of Massachusetts. He was born in the town of Lawrence, on July 29, 1847, and was a son of Bartholomew and Jane Graham Carney. When their son James was a small boy, Mr. and Mrs. Carney moved to Ohio, and in 1855 came to Poweshiek County, this state, settling on a farm that the elder Carney had entered from the government. In 1861 the elder Carney died, and his widow and her children moved to Grinnell.

Here James L. Carney entered Iowa College, from which he was graduated with the class of 1871. Mr. Carney then went to the State University of Iowa to study law, and was graduated from the law school of that institution in 1873.

Shortly after graduation from the law school, Mr. Carney went to Marshalltown, and entered the employ as a clerk in one of the pioneer law firms of the town, Brown, Boardman & Sears, comprising the well-known attorneys of that day, Timothy Brown, H. E. J. Boardman, and R. E. Sears. After a few years of clerkship, Mr. Carney entered the firm of

Henderson and Merriman, composed of Judge H. C. Henderson and H. L. Mr. Merriman retired to become editor of the Marshall County Republican, Mr. Merriman retired to become editor of the Mashall County Republican, which he and Judge Henderson bought in January, 1879. The law firm then became Henderson & Carney, and continued as such until Mr. Carney retired and formed a partnership with Timothy Brown, known as Brown and Carney. This firm was in existence until 1898, when Mr. Carney and J. M. Holt formed a co-partnership known as Carney & Holt. After two years, this was dissolved and Mr. Carney practiced alone until 1911, when he took his son, Leonard T. Carney, into the partnership of Carney & Carney.

Mr. Carney's entrance into politics began in 1882, when he became a candidate for city solicitor. He was elected to succeed B. L. Burritt, and served four years, being succeeded by C. H. Forney.

With this office as a stepping stone, Mr. Carney aspired to be county attorney, and was elected to this office in 1890, serving, beginning January 1, 1891, for four years.

Two years after he retired from the county attorney's office, Mr. Carney was elected as the republican candidate for senator from Marshall County, and served in both the twenty-sixth and twenty-seventh general assemblies, 1896-1898, also in the special session of the twenty-sixth in 1897. He followed George A. Turner as senator from that district, and was succeeded by John B. Classen.

In the Iowa Senate, Mr. Carney took an active and important part. He was a member of the code revision committee, which took charge of the revision of the Iowa Code of 1897. He was a leader in the movement to place the state institutions in the hands of a board of control instead of boards of trustees of each separate institution and was one of a special committee which prepared the first draft of what became the board of control bill and law.

Mr. Carney also was author of the state-wide primary bill, which he introduced as chairman of the elections committee of the Senate. In those days, however, the bill did not meet with much favor, but in later years it became a law and one of the epoch-making reforms of the state.

Mr. Carney served for several years as a member of the school board of his town, and was president of that body. He was formerly vice president of the City National Bank, and was elected as the first president of the Historical Society of Marshall County, an office he held at the time of his death.

In 1892 Mr. Carney was elected as a delegate to the national republican convention at Minneapolis, from the Fifth Iowa District. He proved to be the only delegate from the state to cast a vote for William McKinley, Jr., of Ohio, a candidate for the republican nomination for the presidency in opposition to President Benjamin Harrison. Four years later Mr. Carney was deeply gratified to see his favorite candidate become the nominee of his party and elected as the nation's chief executive.

In 1909 Mr. Carney was chosen as vice president of the Iowa State Bar Association. The president of the association, Charles M. Harl, of Council

Luffs, died in office, and Mr. Carney became president. In 1910 he was elected president of the association.

Mr. Carney was a member of the different Masonic organizations, including the blue lodge, chapter, and commandery. He also was a member of the Odd Fellows' lodge.

Whereas, The Honorable James Loring Carney, a member of this body in the Twenty-sixth and Twenty-seventh General Assemblies, has been called from this life, therefore,

*Be It Resolved*, That the Senate has heard with deep sorrow and regret of his death and that it recognizes the high character of his service to his state and in his death the state has lost a worthy and noble citizen, and,

*Be It Resolved*, Further, that these resolutions be spread upon the journal, that an engrossed copy of the same be sent to his widow, Mrs. Minnie Carney, at Marshalltown, Iowa, and to his son, Leonard T. Carney, at 1333 22d St., Des Moines, and to his daughters, Mrs. Lora Woodbury, at 1333 22d St., Des Moines, Ia., and Misses Gladys and Gerna Carney, at Marshalltown, Ia.

W. H. ARNEY,  
A. V. PROUDFOOT,  
O. A. BYINGTON.

The resolution was adopted unanimously by a rising vote.

In moving the adoption of the resolutions, Senator Arney spoke in part as follows:

We have met tonight to pay a tribute of respect and honor to those who have passed beyond. Death is not a pleasant subject to contemplate. When we speak of death it is with a shudder and yet there comes a time in the life of each of us when we follow our friends with Ingersoll,

Into the valley of the shadows,  
Down into portals  
Where hangs a curtain so thin  
That we can almost hear the flutter of a wing,  
Or the rustling of a garment, or a whispered sigh,  
And yet no word ever comes back to tell us  
Of that wonderful land beyond the grave.

It was my pleasure to know Senator Carney for a number of years in a social and business way. We talked upon all manner of subjects, even death and the Hereafter. I do not know that he had any very well defined views as to the Hereafter; if he had they might be summed up in the verse:

Our ingress to life is barren and bare,  
Our egress from life, we know not where,  
But by doing well here,  
We do well there.

And certainly Senator Carney did "do well" here. He accumulated a competency of some proportions. He was a good business man; he

advice was sought by many of those who knew him. In a social way he had a standing second to none, and as a family man, there were none better,—few as well.

It is my wish at this time to pay this tribute of respect to him, as I hope someone in the future may say a few kindly words for me.

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#### GEORGE CARSON.

Senator Kimball, from a special committee, submitted the following report and moved its adoption :

MR. PRESIDENT—Your committee which was appointed to report resolutions commemorating the life, character and services of the Honorable George Carson of Pottawattamie County, beg leave to report the following and hereby move the adoption of the report:

Judge George Carson died on Tuesday morning, on the 18th day of February, 1919, being seventy-eight years old, having been born February 5th, 1841, in Jennings County, Indiana. He was reared on a farm, attended the public schools, an academy and after the war attended Hartsville University for a time. In 1866 he began reading law under Colonel J. S. Scoby of Greensburg, Indiana. He later attended the law department of the University of Michigan, where he was graduated in 1868.

The judge had a noteworthy civil war record, enlisting as a private in 1861 and being discharged in 1865 as a first lieutenant. He saw action in the campaign along the Potomac, in the Cumberland, through Tennessee, was at Missionary Ridge, at Chattanooga and helped raise the siege of General Burnside.

Judge Carson was married October 5, 1871, to Miss Rachel L. Boyce, of Ypsilanti, Michigan. They had seven children, Hannah L., Rachel B., George D., Grace S., Jannette R., Hiram K., and Mary P. He was a member of Excelsior lodge, A. F. and A. M., G. A. R. and Union Veteran Legion.

He was a man of splendid physique, commanding appearance and up to the date of his death, which came very suddenly, was vigorous and active. When he left the army in 1865 he began his career as a lawyer and took up his career as a public man at Council Bluffs in Pottawattamie County. He soon gained the reputation of being one of the sturdiest, most honest and clean men of his profession. He was universally respected and became very popular. He was elected judge of the district court and served his district faithfully and well. While he was somewhat slow and deliberate in his judgment he held the esteem of all who practiced before him.

After serving as judge of the district court he was elected and served as a member of the House of Representatives for the 17th and 18th General Assemblies. He was afterwards elected and served as a member of the Senate in the 20th and 21st General Assemblies. His service for the state was marked by a splendid judgment and a determination

to do everything that was for the best interests of the people. He was a Republican in politics, having great confidence in his party. He always took an active part in public affairs and was much loved by the younger men of his party for his kindly but sound advice and interest in their welfare. In 1896 he again entered politics, serving his city as mayor. In this capacity he was very successful and the city went forward under his administration. His city had become deeply indebted and involved and it was necessary to bring order out of chaos in the financial affairs of the city. To accomplish this he induced other officers of the city with himself to voluntarily reduce their salaries, saving the city a large sum of money at a time when they were seeking to reform the city finances. Although a man who had accumulated only a small means, he gladly gave up a portion of his salary in the interest of public affairs, and as an inducement to reform the financial affairs of the city. This was characteristic of his unselfish service and of his manhood.

After his political career he maintained his law office and steadily practiced law in a quiet way until his death. In his private life he was clean and upright, and his whole character was impregnated with the highest principles of honesty. He frequently wrote articles for the papers relating to important matters of state and local questions. Two days before his death he wrote a letter to the Senator from his district, which is set forth on page 635 of the Journal of the Senate. In this letter he showed his great interest in the elimination of the white plague in Iowa and requested a copy of the State Board of Health Biennial Report. This was never sent him because the news of his death was received the day after the receipt of the letter.

Your committee recommends that as a fitting recognition of his life the following resolution be adopted:

*Be It Resolved by the Senate of the Thirty-eighth General Assembly:*

That in the death of Judge George Carson the State of Iowa has lost a valuable citizen and a faithful public servant; that he was an able judicial officer, a splendid statesman and a man whose services may well be emulated by coming generation; that above all he was a man whose public services won the applause of his fellow men, and whose relations in his home and to his family stand as an ideal for future citizens to follow.

*Be It Further Resolved,* That a copy of these resolutions be spread upon the journal of the Senate and an engrossed copy of the same be sent to the members of his family.

CLEM F. KIMBALL,  
J. M. WILSON,  
A. V. PROUDFOOT.

The resolutions were adopted unanimously by a rising vote.

In moving the adoption of the resolutions, Senate Kimball spoke in part as follows:

I have often thought as we look about us and see men who have lived and are older than we are, that the lives of each of us are largely made up from the character and qualities of the lives of other men who have been near us. This is the first time, I think, during my career in the Legislature that I have ever had occasion to speak on a memorial and the first time that anyone from my own district has been memorialized at a session of the Senate. On this occasion especially I am reminded of the splendid man that I have the privilege at this time to present this resolution in regard to.

He had all those native qualities and as I used to look at him during his career in the law practice, I have seen what seemed to me, many of the characteristics of Lincoln himself, I have heard him describe that bloody battle of Chickamauga where four out of every five men in his company were shot down. His interest in the affairs of his county and in the affairs of his state were greatly enhanced because of the part he took in the great service of the Civil War and he carried with him, I think through life some of the ideals he sought, and as we younger men saw him, we gathered from him some of his ideals. Judge Carson was one of those men who never reap fame. He was too diffident in his way to ever become famous, but he was one of those splendid men who acted wisely and well, and over and above all, as I remember Judge Carson I like to think how many, many men there are in the world who have the same qualities or equal qualities who really never attain prominence and often never make a success in their chosen profession. The very qualities which made him famous, prevented him from every becoming wealthy,—the very qualities that really made him capable and showed that he was a splendid thinker and with all, quite a wonderful man in a small way, with his natural adverseness to notoriety kept him from ever being a noted character, in this state, though he had all the qualities.

The best thing that can be said of him is that he was one of those dependable American citizens, always taking an active part in the affairs of his locality and city, and in his state, and who was satisfied that the greatest thing in life was fealty to his family and to his friends and to his country, and with that he lived through life and that was his only claim to greatness.

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#### GILBERT S. GILBERTSON.

Senator Kingland, from a special committee, submitted the following report and moved its adoption:

MR. PRESIDENT—Your committee appointed to prepare a resolution commemorating the life, character and public services of Gilbert S. Gilbertson, beg leave to submit the following report.

Gilbert S. Gilbertson was of Norwegian parentage and was born in Spring Grove, Minnesota, October 17th, 1863 and died in Des Moines, Iowa, November 25th, 1917. His early advantages were by no means extra-

business college in Janesville, Wisconsin.

At the age of sixteen years he came to Worth County, Iowa, where he worked on his father's farm until he secured a position as bookkeeper and son was united in marriage to Belle D. Whitney who survives him, and to this union was born two daughters, Mrs. Earl H. Scripps and Mrs. E. Chase West, the latter of whom died recently.

It may be said of Gilbert S. Gilbertson that he was a self made man and the positions to which he arose during his life was due to the fine personality and native ability he possessed. He first entered public service in 1889 when he was elected to the position of clerk of the District Court of Winnebago County, Iowa, which position he held for four consecutive terms. In 1896 he was elected State Senator on the Republican ticket from the forty-first district consisting of Mitchell, Winnebago and Worth counties. He was a prominent member of the state Senate and his conspicuous service and ability led to his nomination and election in 1910 to the office of State Treasurer of Iowa which position he held for six years. He was a business man of more than ordinary ability and was a man of enterprise and public spirit. Besides his public activities he was always active in business and particularly banking and real estate and his connection with the business was considered an asset and sought by leading business men of the state. His activities in insurance and fraternal circles made for him a large number of acquaintances and warm friends.

He was one of the most genial and companionable of men and was staunch and loyal to his friends even when to his own personal disadvantage; and loyalty is one of the better attributes of man. During the latter years of his life he was stricken with a fatal disease and suffered from this for years before his death to such an extent that he had to abandon active interest in many of the important business enterprises in which he was theretofore engaged. All who knew him personally and intimately sympathized with his ill fortune in the loss of his health and it was indeed sad that he was so stricken in the best years of his life for usefulness and influence in business and political affairs.

Gilbert S. Gilbertson was a republican in politics but he had the respect and confidence of the opposition party as well. It is significant that in the election of 1900 for State Treasurer his majority was over one hundred thousand. It may be said of him that he had a host of friends and few enemies. He died at a time of life when he had accomplished much and was ripe in experience and influence, but at a time when because of these facts, he would, if his health and life had been spared, been of still greater influence to his community and state, yet it must be said of him that during his life, although comparatively brief, he had achieved much. His early struggles for advancement in life and his successful career had endowed him with the attributes of diligence and industry because all he had and all he had accomplished he owed to his own efforts and native ability. He succeeded where many with a great many more advantages have failed. His memory will be cherished most by those who knew him best and he is mourned by a host of friends to whom he was always loyal



and kind. In his death, the community in which he lived lost a most estimable friend and neighbor, and his state one of its best and most prominent citizens.

*Therefore, Be It Resolved*, That the Senate has heard with deep sorrow and regret of his death and that it recognize the high character of his service to this state, and in his death the state has lost a worthy, distinguished and noble citizen, and

*Be It Resolved*, That this Senate extend to his family its sincere sympathy of their great bereavement, and,

*Be It Further Resolved*, That those resolutions be entered upon the Senate journal and a copy sent to the bereaved family of the deceased.

F. A. KINGLAND,  
BYRON W. NEWBERRY,  
H. C. WHITE,  
*Committee.*

The resolutions were adopted unanimously by a rising vote.

In adopting the resolutions, Senator Kingland spoke as follows:

I am not prepared to make a speech, yet I do want to say a few words and pay a humble tribute to a deceased friend. I had the good fortune to know Senator Gilbertson since he was comparatively a young man. His activities as a public man preceded the time that I had anything to do with public affairs, but I knew him as a neighbor and as a friend and I can conscientiously say that those who knew him thought well of him.

Mr. Gilbertson did not aspire to the gifts of oratory, but in spite of that, I believe it can be truthfully said that he perhaps had as many admiring friends and acquaintances as any public man in this state. As the resolution set forth, he was kind and loyal to his friends. I think at times, perhaps to his own personal loss, but it occurs to me that the man who is loyal to his friends, especially in adversity (and that is when friends are most needed) has in that fact one of the greatest attributes,—an attribute which inspires the admiration of mankind generally. This, I think, can be said in the fullest measure of Gilbert S. Gilbertson.

There are men here who were more in the class of contemporaries and without saying more, I would like to call on these,—the Senator from Clayton who is also a member of this committee.

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LIEUT. GOV. JOHN HERRIOTT.

Senator Foster from a special committee submitted the following report and moved its adoption:

Lieutenant Governor John Herriott, President of the Senate during the 29th, 30th and 31st General Assemblies, died in Des Moines, Tuesday, September 24th, 1918, aged 73, the funeral services taking place on Friday following in Stuart, his home city since 1873.

Governor Herriott was born in the town of Herriottville, Alleghany County, Pennsylvania, not far from the present city of Carnegie, on October 20th, 1844. He was descended from sturdy Scotch-Irish stock that had lived in Maryland and Pennsylvania since per-revolutionary days. His parents were farmers. The death of his father when he was eight years of age, and of his mother when he was but fifteen deprived Mr. Herriott of the ordinary schooling usually enjoyed by boys. At the age of fifteen he entered a blacksmith shop in Pittsburg in which occupation he remained until the outbreak of the Civil War.

When President Lincoln's second call for troops was made Mr. Herriott, although nearly two years under age, enlisted for three years in the First Pennsylvania Cavalry. He served under Generals Bayard, Custer, Kirkpatrick, Pleasanton and Sheridan in Virginia, Maryland and Pennsylvania for the most part in connection with the Army of the Potomac. He was in some seventy-three engagements, participating in the battles of Fredericksburg and Gettysburg. He left the service broken in health—which he never afterward recovered.

In 1866 Mr. Herriott came to Iowa, buying a farm in Scott County and living thereon until 1873 when he removed to Stuart, where he entered into the retail drug and book business, in which he continued until the day of his death, forty-five years afterwards.

Very early in his life Mr. Herriott began to take a lively interest in political affairs. The anti-slavery debates—especially the capture by a Virginia sheriff of a runaway slave in his mother's dooryard—and the Civil war impelled him to take a direct interest in public affairs. In the organization of the town of Stuart he took an active part in favor of the suppression of lawlessness that was long remembered by the pioneers of that city, demanding the establishment of law and order at the serious risk of loss of life. He displayed the same fearless characteristics then that he did throughout all of his public life.

In 1875 he was elected by the Republicans to the office of treasurer of Guthrie County. Some reforms he enforced in the administration of his office soon brought him into serious collision with political leaders and a controversy ensued that made his administration long remembered in Guthrie County. His collection of the delinquent taxes in 1877 under dramatic circumstances was an undertaking that required Spartan courage and persistence.

In politics Mr. Herriott was always a staunch Republican and whether national or local matters were in issue he always took an active part in the furtherance of the public and party interests. He was an ardent partisan but public interests and the public welfare had the right of way with him always as against partisan or personal considerations.

Upon such moot questions as the "Temperance" or Prohibition question he was always an advocate of definite and severe regulation of the questionable traffic, often pursuing unpopular courses in the promotion of law and order in such matters. While not an original advocate of drastic prohibition he was always an advocate of the enforcement of the law on the books. He was a member of the committee on resolutions in the Republican state convention in 1894 that agreed to and re

ported the celebrated "Thirteenth Plank," favoring the modification of the then ineffective prohibition statute.

The republican state convention in 1895 nominated Mr. Herriott to the office of Treasurer of State, to which he was afterwards renominated in 1897 and again in 1899. He was in charge of that office when the Legislature effected several radical changes in the public policy of the state that resulted in an enormous increase of the duties of the Treasurer of State, notably the collection of the Collateral Inheritance tax and the reception, custody and disbursement of all moneys for and on account of the institution under the Board of Control. Not only in the practical administration of the Treasurer's office, but in connection with his duties as a member of the Executive Council Mr. Herriott introduced many practical reforms in the way of better systems of accounting and reporting of the transactions of the business of the state.

Mr. Herriott's career as Treasurer of State was made notable by reason of his advocacy of a more equitable assessment of the railway and express companies of the state. Soon after entering upon his work as member of the executive council Mr. Herriott discerned that the smaller railways of the state sustained heavier tax burdens than did the larger systems and that among the larger systems there were marked inequalities. He pointed these facts out in a series of statements filed with the Secretary of the Council and public discussion soon began to revolve about the contention he advanced.

So great was public interest in the controversy waged by Mr. Herriott that it is not too much to say that the state campaigns of 1900 and 1901 turned largely upon the railroad tax question. One result was Mr. Herriott was one of the prominent candidates for the Republican nomination for Governor in 1901 and was nominated for the office of Lieutenant Governor by the Republican state convention at Cedar Rapids. Herriott was elected Governor by the Republican state convention at Cedar Rapids.

As president of the Senate Lieutenant Governor Herriott displayed the same qualities that had characterized his previous career in public office. In this opening statement to the Senate announcing the composition of the committees he applied business principles to his assignments and urged the adoption of certain reforms in fulfillment of the party pledges. Owing to the adoption of the constitutional amendment providing for biennial elections Governor Herriott had his term of office extended and he presided over the deliberations of the Senate in the 1st General Assembly.

During his presidency of the Senator Governor Herriott executed his duties with a conscientiousness and impartiality that immediately secured for him the good will of partisan opponents and the respect of fellow partisans. He always was a strong party man, believing thoroughly in aggressive party politics; but he never permitted his zeal in partisan plans to lead him to transgress the rule of equity in according fair and full consideration to members of the opposite party or faction with which he might chance for the time to be allied, or might personally favor. In consequence he never experienced any hostile manoeuvres against his decisions of a personal character.

As a public officer he was practical and straight forward in all his methods, believing firmly in a symmetrical social framework based upon justice to all and administered in the open. He never feared public criticism and did not need publicity to keep him in the right path. He inspired confidence and respect to such an extent that he was known throughout all Iowa as "Honest John Herriott" and will always be remembered as a good man from a good state, which he helped to build up and adron, therefore,

*Be It Resolved*, That in the death of Lieutenant Governor John Herriott the state has lost a most worthy and beloved citizen, whose unswerving fidelity to public duty and faithfulness to every public and private trust inspired us to higher ideals of life and living, and

*Be It Resolved*, Further, that these resolutions be spread upon the journal, that an engrossed copy of the same be sent to his widow, Mrs. John Herriott, at Stuart, Iowa, and to his three sons, Dr. Frank I. Herriott, at 1206 21st St., Des Moines, Iowa; L. B. Herriott, Guthrie Center, Iowa, and J. D. Herriott, Stuart, Iowa.

JNO. W. FOSTER,  
BYRON W. NEWBERRY,  
W. H. ARNEY.

The resolutions were adopted unanimously by a rising vote.

In presenting the above memorial, Senator Foster said:

The ordinary items of biography and public service are so fully presented by the foregoing memorial that I need not speak further of them. I wish, however, to briefly refer to Governor Herriott, as a friend and neighbor, whom I have known for more than forty years, and whose personal worth cannot be appreciated by other than those who were his intimate acquaintances.

I became acquainted with him in 1879. He was then 33 years old and just entering on his political career. I was then 21 years of age and just out of college. He had been re-elected to the office of County Treasurer of Guthrie County after a stormy campaign resulting from the collection of a large amount of delinquent taxes, during his first term, which had been carried on the books for a number of years, and his enforcement of the delinquent tax law became a political issue. I had just been elected to my first term as County Auditor. Our offices in the old Court House were separated only by a wall, and for convenience in transacting business between the two offices there was a little cased opening with a sliding door to afford a convenient means of passing books and papers back and forth between the two offices, and this door generally stood open. The intimacy of this official relation brought about a strong personal attachment between us, which continued until the death of Mr. Herriott.

I shall never forget his kindness nor the kindness of his good and gentle wife to me during my first winter at the county seat. I was then unmarried and lived at the old rickety county seat hotel and the Herriotts frequently broke up the tedium of my prosaic life by inviting me and ea

tertaining me at their good home. There I found an air of quiet refinement, with books and papers and generous hospitality that I shall always recall with pleasure.

Mr. Herriott was a great reader and versed in history and literature and knew how to entertain his guests as few people are able to do.

He was a kind husband; a generous and watchful father, and his place in the family and the neighborhood can never be filled by anyone else.

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#### GILMAN L. JOHNSON.

Senator Broxam, from a special committee, submitted the following report and moved its adoption:

MR. PRESIDENT—Your committee appointed to draft resolutions commemorative of the life, character and service of the Honorable Gilman L. Johnson, beg leave to submit the following report:

Gilman L. Johnson was born in St. Lawrence County, N. Y., June 21st, 1848. His father was William P. and his mother A. A. Bell-Johnson. His father's family were old early English settlers, first in Tennessee and then in 1839, in New York. His mother's family was also of English origin, living in Canada and Vermont for two generations. His early education was acquired in the common schools of St. Lawrence County, N. Y. At the age of 16 years he enlisted in the 16th New York Volunteer Infantry, where he entered the 142nd New York Volunteer Infantry and was assigned to Company C. He also served as first lieutenant on the staff of General N. M. Curtiss. In February, 1864, at John's Island, S. C., he received a gun-shot wound which necessitated the amputation of his right arm. He was in active service during the siege of Petersburg and the capture of the latter point, January 15, 1865, he was detailed as depot quartermaster at that point until after the close of the war.

After coming out of the army Mr. Johnson attended the Gouverneur Seminary of St. Lawrence County, N. Y., from which he graduated in June, 1871. He was admitted first to the New York bar in June, 1871, at the time of his graduation, then in September, 1871, to the Iowa bar, and for a few months was associated with Chas. Rich at Maquoketa. He then formed a partnership with F. C. Richmond which continued practice alone for about ten years and was afterwards associated for five years with F. D. Kelsey of this city. From the time of the close of this partnership he continued his practice alone until about two years ago, when he retired from active practice. Mr. Johnson was a member of the House in the nineteenth General Assembly from the twenty-third district; also a member of the Senate in the twentieth and twenty-first assemblies from the same district.

Mr. Johnson was a lawyer of exceptional ability, a citizen of sterling worth, a splendid neighbor and a loyal friend, and a man who will be missed in professional circles as well as by the commonwealth in which he lived.

*Therefore, Be It Resolved*, That in the death of Gilman L. Johnson the state and county in which he resided lost a worthy and upright citizen, a valient soldier and and an honored statesman, and we hereby extend to the bereaved family and friends our sincere sympathy.

*And Be It Further Resolved*, 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.

A. L. BROXAM,  
A. M. PARKER,  
H. C. WHITE.

The resolutions were adopted unanimously by a rising vote.

In moving the adoption of the resolution, Senator Broxam spoke in part as follows:

I believe that I am the only member of this senate that was personally acquainted with Mr. Johnson, and I feel at this time there is nothing that I might say that will add to the luster and glory of Mr. Johnston' life.

As a lawyer he was a leader in his profession, always standing for what he thought was right regardless of public opinion or what other people might think. Politically, he was a democrat of the old school, always loyal and true, and now that he has gone to that great beyond, that Home not built by hand, eternal in the heavens, the greatest tribute I can pay to him at this time is that to know him was to honor and love him.

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#### EDWARD P. M'MANUS.

Senator Frailey, from a special committee, submitted the following report and moved its adoption:

MR. PRESIDENT—Your committee appointed to prepare resolutions commemorating the life, character and public services of Edward P. McManus, beg leave to submit the following report:

Edward P. McManus, member of the Iowa Senate from Lee county in the Thirty-second, Thirty-third, Thirty-fourth and Thirty-fifth General Assemblies, was born at Keokuk, Lee county, Iowa, on the 20th day of June, 1857, and died at Keokuk on the 8th day of January, 1918. His death came suddenly and without warning while engaged in his duties as postmaster at Keokuk postoffice. The last days of his life were the busiest. In addition to his official duties as postmaster and his private affairs, he devoted much time and labor to various war activities, being chairman of the Lee County Council of Defense and county food administrator. The exactions of these manifold duties contributed in no small degree to his untimely death.

The life of Edward P. McManus was crowded with many and varied activities. He was successively traveling salesman, farmer, country school teacher, state senator, managing head of successful stone quarries and

postmaster. Throughout his entire life he evinced a keen interest in politics. It was the game and not the spoils that appealed to him. Always a staunch democrat, it was only in the later years of his life that he sought or would accept preferment for himself.

Few men in Iowa had a larger acquaintance or more friends than he. His warm Irish heart beat in sympathy with all of God's creatures. His generous nature rejoiced in the triumphs and pleasures of others and suffered in their misfortunes. The old and the young, the rich and the poor, came to him with their troubles and sought his counsel and guidance. A hundred stories might be told of his tender regard for the aged and friendless; of the young men who have found a new spirit and resolution in his words of encouragement; of the poor and destitute whose appeals his generous heart never ignored. To his funeral came the old crippled woman whom others had thoughtlessly passed, but he had left his work to help her down a dangerous stair; came the victim of drink or circumstances who had gone to him in despair and left with courage to make the fight anew; came the little boys and girls who loved him because he loved them and noticed them and played with them. All of these passed by his open casket and dropped a flower or a tear, knowing that each had lost a friend.

Brann, the iconoclast, once said that the place to find the true worth of a man is at his fireside, for there he lays his mask aside and you may tell whether he be imp or angel, king or cur. Edward P. McManus wore no mask. The gentleness that marked his relation with his fellow man was emphasized in his home. The qualities that won the regard and affections of neighbors and friends, made him thrice loved by his family. His home life was ineffably beautiful. His happiest hours were those spent in the family circle rollicking with his grandchildren, and imparting from his pure and wholesome spirit a perpetual benediction.

Optimism was the touchstone of his life. He was an evangel of good cheer who carried the gospel of sunshine into hearts that were desolate and weary. He loved his fellow man. He believed in him and trusted him and found virtues where others could find nothing but fault. No man ever reached that state of wretchedness or degradation that he could not find some redeeming part in him.

With these rare qualities of heart and mind he combined a native wit and an eloquent tongue. Although he avoided public speaking, his fame as an orator was more than local. Nature endowed him with a deep resonant voice, and that rarest of faculties, the power to move men from laughter to tears. His public addresses, like his private utterances bristled with humor and he could touch heights of fancy and sentiment that poetry seldom reaches.

No man loved the beautiful things of nature and life more than he, and none more thoroughly detested the vulgar. His scrap book contains a rare collection of literary gems culled with discriminating taste from his reading. He loved to preserve and commit to memory beautiful passages from poetry and prose which he would frequently recite to the delight of his family and friends. His nature was so sensitive to suffering and pain of others that he studiously shunned hospitals, for the sight of a fellow being in misery affected him keenly and often brought tears to his eyes.

Of all the qualities that he possessed, none so thoroughly marked him with his nobility as his veneration for womanhood. He idolized his wife; his mother he deified. The unsung heroism of motherhood awakened in him an appreciation that he frequently expressed in public and in private. Upon more than one occasion he has taken his pen in hand and written an anonymous tribute to some poor mother who had died unnoticed after a life of silent sacrifice. His sense of justice was shocked that such a life should pass unmentioned, while extravagant praise was heaped upon the less worthy.

Is it strange that when this noble spirit left its earthly abode, it seemed to take with it out of the world a part of the joy and happiness of life? Is it strange that the flowers are not quite so fragrant, that there is a touch of sadness in the song of the bird, and that the sun itself, has lost some of its radiance to those he loved?

(Signed)

JOSEPH R. FRAILEY,  
A. V. PROUDFOOT,  
BYRON W. NEWBERRY,  
*Committee.*

The resolutions were adopted unanimously by a rising vote.

In moving the adoption of the resolutions, Senator Frailey spoke as follows:

MR. PRESIDENT AND SENATORS—When those whom we hold dear have reached the end of life and laid their burdens down, it is but natural for us, their friends, to pay our tribute of respect and love, to tell their virtues, to express our sense of loss and speak above their sculptured clay some word of hope.

And so we meet tonight. This is a time of sorrow and of memory and of love, that by the strength of its undying faith, brushes away the burdens of the years and lives again amid the sweet and saddened scenes of yesterday. It is a day sacred to our dead, who deathless linger in the country of the spirit, where the mystery and the pain and the yearning of this life is infinitely satisfied or infinitely quieted. No pen can trace its portent; no tongue can tell its pathos; it is a time for heart and soul whose fullest speech is silence.

Edward P. McManus was my immediate predecessor in this Senate. The resolution that has just been read but briefly epitomizes the record of a great and noble soul. He was my friend for many, many years—a friend that never failed in fidelity, in counsel or in need.

When he was called to higher responsibilities in private and official life, I succeeded him in this Senate. Purely as a matter of sentiment, that probably he alone could understand, I selected here the very desk that was his for eight years. Many is the time, after his retirement, that he has sat here by my side and that I have profited by his wisdom and experience and advice.

Even now, after a lapse of more than a year, it is hard, indeed, to realize that he is dead, and tonight his sweet and virile spirit and his stainless soul seem to abide here like a living flame in this chamber where he worked and wrought so honestly and so well.



The Persians have a way of saying on the birth of a child: "O, little one, you come into the world with cries while all around are smiling. So live that you may go out with smiles while all around are crying." Comprised within this simple prayer are all the things that make life worth living; all the things that rob death of its terrors. To go out with smiles in the happy consciousness of a life well spent, and with an unfaltering trust in the beneficence of the unknown beyond. So passed Edward McManus across the invisible boundary. There is grief today in the hearts of those who loved him and of the innumerable ones who called him friend, but our sorrow must inevitably be soothed by the contemplation of what he has done and the certainty of his reward.

It was my privilege to have been his friend for many years. In the truest, fullest, noblest sense, he was a man—his life was simple and upright and unpretentious, and upon his eager, upturned brow was stamped the imperishable knighthood of the nobility of honest toil. He believed in his fellow men and his country and in his God. He believed that to be a good American citizen was greater than to be a prince, or potentate, or king. He was an honest, honorable manly man—God has created nothing greater.

So he died rich. Not rich in this world's wealth, perhaps as men today count worldly wealth, but rich in good deeds, in noble works, in the unselfishness of sacrifice; rich in little children's love and old men's prayers; rich in the rounded, well-spent life of the best and highest type of American citizen. And so,

"Sustained and soothed by an unfaltering trust, approached his grave  
Like one who wraps the drapery of his couch  
About him, and lies down to pleasant dreams."

Such men as he cannot die from among us, their memory lives on. They throng our thoughts and tenderest recollections; they point to silent sacrifices and heroic endeavors where they paid the last obligation to honor and to right; they sentinel the long and growing highway to the life everlasting; they cluster about the history of this Senate and this state—a history made nobler by their presence and glorified by their unselfish deeds; they prompt to higher purpose and greater devotion—to love of country and friends and our fellow men.

So lived Edward McManus, as a loyal citizen, as a loyal man, as a loyal friend. His was the gospel of friendship—friendship, that is the divinest temple that reposes in the domain of the soul, a temple builded by the force of faith and love upon the everlasting rock of truth. And when this sculptor of this temple of the soul laid down his burdens in that sleep called death, when heart no longer throbs a loving message back to heart, the friendship that was his in life, in death, lives on for us, in its divine example, a blessing and a benediction. Something remains of him still—something that has wandered far down the course of time to us like the faint summer fragrance of a Maytime tree long since fallen dead in its wintered forest.

So long Thy power has blessed him, sure it still  
 Will lead him on  
 O'er moor and fen, o'er crag and torrent, till  
 The night is gone;  
 And with the morn those angel faces smile  
 Which we have loved long since, and lost awhile.

And now that he had left the "shore touched by that mysterious sea that never yet has borne on any wave, the image of a homeward sail," may perfect peace be his. Wherever he may be, wherever he lies dreaming, he is not forgotten, nor has he died in vain. We who knew him, mourn him and enshrined him in our heart of hearts. And the great Ruler of the Universe opens His everlasting gates today and bends down above him in mercy and in love; and as gentle as the wing of an unseen dove, He lets fall upon him His blessing and His benediction. And with this light of another world almost beating in our faces, tonight we write his virtues upon the tablets of our memory and our love.

If beyond the vale; beyond that night called death, there is another world to which men carry all the triumphs and the failures of this life; if above all and over all there be a God who loves the right—an honest man has naught to fear. And if there be another world in which honesty is a virtue, in which fidelity is loved and courage honored—then all is well today with this friend and legislator we have lost.

Yet is he lost, or has he only wandered down the valley of the shadow from mortal life to life immortal? "From the voiceless lips of the unreplying dead, there comes no word," but love has its dreams and hope its certain faith. On the vague, unfathomed stream of life—that stream that rises in a world unnown and flows to that mysterious sea whose shore the foot of one who comes has never pressed—we voyage only to the grave. We strive in vain to look beyond its brink; we cry aloud, but all is silence and pathetic dust.

Yet this we know: The sun that sets tonight, tomorrow rises. The light that gladdens all the day passes to darkness, then to light again. The flowers that gladden the field bud, bloom, then in the sere and yellow leaf, they wither and are gone, and yet in dying abide they not alone, but sow themselves and bloom again with each returning spring, as angel emblems of the resurrection and the life beyond the grave. The vision of the prophet and the seer, the poet's song that for all time has left the atmosphere of earth to pulsate with its melody, and all the great, heroic deeds of man that fire the heart of youth and make the patriarch's blood to flame again, still thunder down the corridors of time to us, when those who saw and sang and strived have long ere now passed to the choir invisible of the immortal dead.

So fade all sunsets; so dies the light on land and sea; so pass away the fairy pictures of the mind. And yet we know the sun will rise again: the light on land and sea grow white, and on the filmy folds of unformed minds, the Hand that paints the blossoms of the field and tints the rose will flash once more the pictures of the past. The rise and set of sun, the birth and death of day, the dawns of silver and the dusks of gold, the shroud of winter and the many-colored robes of spring—these are the symbols and the

signs, the warp and woof of immortality, and at the loom of life sits God who weaves this wondrous tapestry that those who see and know and understand shall perish not, but in the perfect plan of life and growth and death and life again, come the fullness of the everlasting life at last.

For we know that the promise of another life cannot be false; we know that the grave does not end all; we believe that the hope of immortality is true; that hope that like a tide has ebbed and flowed within the human heart, beating with its countless waves against the sands and rocks of time and fate, was never born of any creed or any faith—it was born of affection and of God. And it will continue to ebb and flow beneath the clouds and mists of doubt and darkness as long as love kisses the lips of death.

Senator Wilson spoke briefly as follows:

I do not wish to detract from the splendid eulogy to which we have just listened, yet I feel that I would be unworthy of the higher motives that actuated my life if I were to fail to bestow some tribute to the memory of the man about whom the resolutions have just been read.

Six years ago tonight Edward P. McManus was in this chamber, at the memorial meeting. I shall never forget his presence, his talk, his kindly utterances on that occasion. Only five of us who are here now were here six years ago, the presiding officer, Senator Arney, Senator Kimball, Senator Fellows, Senator Balkema and myself. He sat where the senator from Lee now sits.

I can see him in my mind's eye not only on that occasion, but on every occasion of the Thirty-fifth General Assembly, and one of the tenderest recollections of my senatorial career will be the memory of my associations with Edward P. McManus.

I remember on that occasion he delivered a poem that expressed the sentiments similar to those I am about to give. These are the verses.

Have you sorrow and trouble and care,  
Do your burdens seem heavy to bear,  
Is the present all dark and the future all drear,  
Is the sky of your life thickly clouded with fear?  
Stop for a moment, pause silent and still,  
And note if you can the wisdom and will  
That measures your strength with God's gracious design  
By hiding your ills one day at a time.

Would you climb up the mountain of fame,  
Would you carve on its summit your name?  
You must patiently wait and patiently try  
To make most of the moments that go slipping by.  
You may string them together like pearls in a chain  
That will give back their light through the darkness again,  
That will open your path in one luminous line,  
If you bind them together one day at a time.

Have you found that your friends are untrue?  
The friend that you trusted, the friend that you knew.  
Do you mourn your betrayal, as you sit all alone,

Do you fancy your faith forever has flown,  
Do you turn from your fellows and turn from each face,  
Do you think you can shun even God's rich grace?

Has your soul been invaded, your heart cut in twain  
By that terrible loss and terrible pain?

That anguish which comes when a dear one has died  
And the place that is vacant is close by your side;  
When life seems crushed by the force of the blow  
Even then, in a way that you never may know,  
The hope of reunion is casting its shine  
Through the gloom and the shadows, one day at a time.

I am glad to pay this tribute to the memory of Senator McManus.

Senator Proudfoot spoke briefly as follows:

The tributes by the senators from Lee and Appanoose have taught me also to second the motion for the adoption of these resolutions.

My first legislative experience in this chamber was spent with Senator McManus through two sessions. I remember him as a jovial, witty Irishman. I remember him as I last saw him. I was driving through the city of Keokuk and, of course, I couldn't drive in and drive out without calling on my old friend and so I went to the postoffice where he was then serving as postmaster of the city of Keokuk and we visited awhile and he stood on the stone steps as I drove away in the splendid summer afternoon and bade me good-bye, never to meet again in this world.

I hope I may emulate some of the splendid characteristics, some of the splendid qualities of this man whose memory we now commemorate

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JAMES A. SMITH.

Senator Kingland, from a special committee, submitted the following report and moved its adoption:

MR. PRESIDENT—Your committee appointed to prepare resolutions commemorating the life, character and public services of James A. Smith beg leave to submit the following report:

James Albert Smith was born in the village of Castle, Wyoming county, New York, February 4, 1851, of New England parentage. He received his education in the local district schools and at the age of eighteen came west and settled at Osage, Mitchell county, Iowa, which was his permanent residence at the time of his death. He was married in 1874 to Mary Alice Crego. He passed away at his winter home in Pasadena, Calif., January 12, 1918. He left surviving him his estimable wife and seven children, six sons and one daughter: Fred C. Smith, Lee A. Smith, Stanley R. Smith, Lloyd Smith, Richard J. Smith, Merrill G. Smith and Mrs. Robert Leach. His son, Stanley R. Smith, was an active member in the House of Representatives of the Thirty-seventh General Assembly, having been elected from Bremer county, Iowa.

For several years after coming to Osage he was actively engaged in civil engineering. He was for a time engaged in the grocery business together with a brother and later he and his brother engaged in the lumber business, in which business he continued until the time of his death. His brother died many years ago and James A. Smith continued in the lumber business and was so eminently successful that at the time of his death he was at the head of one of the largest businesses of the kind in the middle west, and he had at the time of his death amassed a large personal fortune. He was at the time of his death president of the James A. Smith Lumber Company, the Royal Lumber Company, the Smith-Hovelson Lumber Company, the Smith-Thielen Lumber Company, the Superior Lumber and Coal Company, all with headquarters in Osage and with branch offices in Iowa, Minnesota, Dakota and Nebraska, these companies having in all about seventy-five branch offices. He was also vice president of the Farmers National Bank of Osage and had other banking connections at Osage and other places.

In 1887 Senator Smith was elected as trustee of Iowa College, now Grinnell College, and served in this capacity until the time of his death. In accordance with his desire, his sons and daughter attended this college and he was liberal in support of its endowment. He was a prominent member of the Congregational church of Osage and took great interest in the work of the church. The last time that he served at any public gathering in Osage or Mitchell county was at the annual church meeting the day before he left for California for the last time, and he spoke with considerable emphasis of the interest he took in his home church and the prospects for its future, and had in mind the sixtieth anniversary of the church, to be held in November, 1918. His interest in the church was emphasized by his presence at practically all church services and by his most liberal support and in his will, which was drawn several years before his death, he made substantial provisions for the financial benefit of his home church as well as for other churches, and educational work.

He was a York Rite Mason and a member of the Shrine. He was also a member of the Knights of Pythias.

The worth of the man and the esteem in which he was held by his fellow men is best shown by the many positions of public trust to which he was called and beginning at an early time in his career. He served several terms on the school board and the city council of Osage. He was elected to and served in the House of Representatives in the Twenty-second, Twenty-third General Assemblies of Iowa and in the Iowa Senate without interruption in the Twenty-eighth, Twenty-ninth, Thirtieth, Thirty-first, Thirty-second, and extra session of the Thirty-second, Thirty-third and Thirty-fourth General Assemblies. During the last part of his service he was president pro tem of the Senate and chairman of the appropriations committee. He was generally regarded to be one of the ablest men in the Iowa Senate, and while a Republican in politics, he was accorded the deepest respect alike by Republicans and Democratic members.

The high esteem in which he was held is well attested by the fact that his funeral was largely attended by prominent and influential men of the state and from the expressions of some of these who had been close to him and knew best his principles and his motives in his public career, and

we take the liberty of making excerpts from the testimony of appreciation delivered by some of these in honor of their deceased friend and co-worker.

Hon. A. B. Funk said:

"Senator Smith seemed to have years of service and satisfaction yet due him. He had lived well within the rules which make for length of days. He had never permitted appetite to menace health or minimize strength. He was clean in mind and heart and habit. Why such a man and such a life should be denied the allotted span of existence, we may not know and it is idle to cavil with destiny.

"While Senator Smith was prepared to live in enjoyment and usefulness, he was by no means unprepared for life's greatest adventure, even unrelenting death itself. He had not neglected to apply mind and heart to the problems of eternity. All the years of his life, he had lived in faith believing, and, in death, he was soothed and sustained by an unflinching trust in the sublime promises of revealed religion. The living mourn their loss, not his. He fought a good fight and kept the faith. He achieved largely and honorably in affairs material. He made distinct impression upon a generation of important history and experience. He leaves seven children worthy of their sterling parentage. There is bereavement deep and abiding in the shadow of this decree of destiny but those who mourn are substantially sustained by memories precious and practical. More and more will they realize how very much of a man was the Honorable James A. Smith."

United States Senator A. B. Cummins said of him:

"I feel so keenly the loss of a dear personal friend that it is with great difficulty I bring myself to give an estimate of his worth as a Republican. I have known him for thirty years and during much of the time, intimately. Above anything else, he was a man of perfect courage and there are not many of them. What he believed to be right, he would say and do, no matter what the consequences might be. He was high minded and unselfish and his first concern was always for his country, his state, his family, and his friends. He was strong and influential because, when he believed in a cause, he fought for it with unrelenting zeal. His place will not easily be filled in either the industrial, political or social life of the state."

Perhaps no better eulogy could be paid to any man than the following found in an article written to his memory in one of the local papers of his home town, because it is a tribute to the motives and the principle of the man, and after all these are the most important, and we gladly quote this extract from the article referred to:

"The strength and usefulness of James A. Smith was nowhere better exemplified than in public service. Elected to the House of Representatives in 1887, he acquired influence and promoted achievement. When he entered the Senate in 1900 he was at his best in manhood development. Since his service in the House he had acquired poise and ripened judgment while losing nothing in practical sympathy for the public welfare or in courage and useful promotion. Probably the richest man in the whole of that august body, he stood unflinchingly for measures levying tribute upon the wealthy. He did all he could to secure the enactment of an inheritance tax law which would have cost his estate forty or fifty thousand dollars. Closely allied with 'big business,' he voted just burdens upon his

class and upon himself. The free pass had been to him a valued privilege, yet he led the fight for its abolishment. When the public welfare was involved, when public morals were menaced, he asked no favors and he yielded none. Neither the party lash nor the appeals of comradeship could make him sacrifice his conception of public duty. He could have been more of a leader of legislation had he been more disposed to compromise and to apply his criticism with more politic discretion, but no senator, leader or otherwise, exercised more influence for the better purposes of legislation or as much influence in defeating unworthy or impractical measures. When James A. Smith took the floor to diagram inconsistency or to excoriate evil design it was apt to be very hard sledding for 'the bill.' He hated shams. He had no patience with compromise that involved sacrifice of principle. He scorned the arts of insincerity and indiscretion. It was never difficult to locate the senator from Mitchell without waiting for the roll call."

As Carlisle said, it may be said of the Honorable James A. Smith:

"When he departed, he took a man's life with him."

Thus it is, one by one they are called, some in infancy, some in old age, and others in their prime, or just when, from their broad and versatile experience, high and noble natures, they are most useful to their fellow men, their state and nation. At just such a time, was the life of James Albert Smith suddenly terminated. He was in a position to give strong advice concerning matters of highest importance in the state and no other man in the state was better read nor more fully informed on national problems than was this state senator. If he had sought higher offices within or without the state, he would have honored the office, be it that of governor or congressman, and his constituents would have made proud. His family mourn his departure, the community sadly miss his genial nature and wise counsel, and the state of Iowa has lost one of its biggest men.

*Therefore Be It Resolved*, That the Senate has heard with deep sorrow and regret of his death and that it recognizes the high character of his service to this state, and in his death the state has lost a worthy, distinguished and noble citizen, and,

*Be It Resolved*, That this Senate extend to his family its sincere sympathy in their great bereavement, and,

*Be It Further Resolved*, That these resolutions be entered upon the Senate journal and a copy sent to the bereaved family of the deceased.

T. A. KINGLAND,

J. M. WILSON,

B. J. HORCHEM,

*Committee.*

The resolutions were adopted unanimously by a rising vote.

In moving the adoption of this resolution Senator Kingland spoke as follows:

I want to say only a very few words. I feel that I am unable to fittingly pay a tribute to this man. His reputation and his standing was not only local but it seems to me when we consider the history and the legislation for

the last two decades in this state, that his influence and his renown were state wide and his public service was part of the history of this state.

From the facts briefly set out in this resolution, this tribute to his memory, we may safely say that first of all, he was a man. He was an unselfish man, and above all, this is a quality that we, rightly so, are given to admire.

It is especially a privilege to me to be considered one of his successors in office. I think it is conceded that James A. Smith was a dominant figure in the legislature of this state and he had a long service in this body—I think twelve years—and across the hall for two terms. I only want to add that it is my desire and wish that I may, if only to a small degree, emulate the splendid qualities that he exhibited in his service in this body.

After all, the goal that we as legislators should aspire to, it seems to me, is that we are able to consider measures for the public benefit strictly upon their merits. I believe this was one of the pre-eminent qualities of Senator Smith. He did not stop to consider the personal consequences but always considered the measure upon its merits as it affected the public welfare.

As a man then, and as an experienced and prominent member of this Senate, we can sincerely pay this tribute to Senator Smith, that he was one of nature's noblemen as far as character is concerned and he had the highest conception of public duty and showed it in his extended service in the legislature of this state.

I gladly yield the floor to another member of this committee, the senator from Appanoose.

Senator Wilson said:

It was not my pleasure to enjoy any personal acquaintance with Senator Smith. However, during the days of my knowledge and acquaintance with the politics of the state, it was of such a character to commend for him my warmest admiration as a student of politics and of history.

I recognize in him the highest type of a man, such a type of man as after all makes us what we are as citizens and as men, and it is association, the acquaintance, the knowledge of such men as James A. Smith that ought to make us the better fitted to perform the duties that come to us in the legislature, and I am indeed pleased to pay him this tribute.

Senator Newberry said:

I knew him very well for many years prior to the Thirtieth General Assembly. He came west and his first work was in my town in assisting in locating a railroad. He came as a poor young man, with very little property. Afterwards he went to Osage and started with his brother a small grocery store. They were successful. Then he branched out and bought a lumber yard at Osage and from that time went on buying lumber yards and became one of the most successful business men in the west. His experience in this General Assembly was of a marked order. He was president pro tempore of the Senate, chairman of the ways and means committee, recognized leader of the Senate for several sessions and his work shows upon our statute books of today. The two cent fare bill, the anti-pass law, the primary law, the inebriate asylum at Knoxville are other



measures which were largely due to the force of James A. Smith. He maintained during his latter days at Pasadena, California, a beautiful winter home, where it was my privilege to visit him. It was one of the finest homes in Pasadena and it was there he died. He was taken sick with pneumonia, lived only a very few days and died in that place in California a year ago last fall.

Senator Proudfoot spoke as follows:

I regret very much to prolong this session, but I do not want the occasion to go by without a word from me in relation to Senator Smith. He sort of took me under his wing because he was a leader on this floor. I think the most animated debate I ever took part in was with Senator Smith. He was one of those sarcastic, clean-cut, able gentlemen from the east, polished and well educated and knew exactly what he wanted and how to go about it to get it.

I served two sessions with Senator Smith and a more polished, splendid, frank, open, direct man I never knew.

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#### MARION F. STOOKEY.

Senator Stephenson, from a special committee, submitted the following report and moved its adoption:

MR. PRESIDENT—Your committee appointed to draft resolutions commemorative of the life, character and services of Honorable Marion F. Stookey, beg leave to submit the following report:

Honorable Marion Floyd Stookey was born in Kosciusko county, Indiana, March 19, 1846, and died at his home in Leon, Iowa, April 2, 1919, aged 73 years and 13 days.

With his parents he moved from Indiana to Linn county, Iowa, in the fall of 1857, and settled on a farm. His education was acquired in the district, supplemented by a term in the high school at Cedar Rapids and a year at Western College. He followed the occupation of teaching for several years, teaching during the winter months and working on a farm during the summer. He enlisted in Company C, Forty-seventh Iowa, during the Civil War and served until that regiment was discharged. He graduated from the law department of the State University in 1877, and immediately settled in Leon, Iowa, where he has since continued the practice of law. Shortly after his location in Leon he formed a partnership with E. W. Haskett which terminated several years later, when Mr. Haskett was appointed U. S. District Attorney for Alaska. As a lawyer, the deceased was known throughout the county as a safe counselor and he soon developed a broad and deep comprehension of the fundamental principles of the law. He always enjoyed a lucrative practice which furnished evidence of his integrity and ability. He has served as mayor and city attorney of Leon and also county attorney of Decatur county. He was elected to the Senate in 1903 and served during the Thirtieth, Thirty-first and Thirty-second General Assemblies.

On September 1, 1881, he was married to Miss Elizabeth Brooks, at Leon, Iowa, who with their their daughter, Mrs. M. E. Wasson, of Des

Moines, and his brothers, Nelson of Palo, and Charles of Shellsburg, and his sister, Mrs. Margaret Lightfoot, of Palo, survive him.

For over forty years Mr. Stookey has been an honored resident of Leon, during which time he has served both the city, county and state in honored positions. He was a man of exemplary character, marked for his quiet and even tempered disposition. His life speaks louder than any words that could be spoken in his praise.

For many years he was one of the owners of the Decatur County Journal. Under his influence and management the paper prospered and its sphere of usefulness was greatly extended. The editorials were widely quoted and it became one of the ablest and strongest defenders of the principles of the republican party in the eighth congressional district. The deceased believed in the fundamental principles of Christianity. He believed that religion is essential and indispensable to the welfare of men and governments. To one who has known him for many years he once remarked, "The greatest message ever delivered to mankind is contained in the words of the Master, 'I am the resurrection and the Life'."

Marion F. Stookey was a patriotic American and loved his country. He was devoted to his party, but that devotion to party was superinduced by his love of his country. He was always prominent in the councils of his party and "We shall meet but we shall miss him".

*Resolved*, That in the death of Marion Floyd Stookey, the state and county in which he resided, lose a worthy and upright citizen, a valiant soldier, and an honored statesman, 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. .

J. A. STEPHENSON,

T. A. KINGLAND,

JNO. R. PRICE.

The resolutions were adopted unanimously by a rising vote.

In moving the adoption of the resolutions, Senator Stephenson spoke in part as follows:

There are several things I would like to say in regard to Senator Stookey, although I never had a personal acquaintance with him, but I have always understood that he was well respected and well loved by his friends and business associates.

I believe there is only one Senator in the Senate at the present time who knew Senator Stookey and that is the Senator from Clayton, and I yield the floor to the Senator from Clayton.

Senator Newberry said in part:

It seems only yesterday since I sat here in the Senate chamber with Senator Stookey, and we have here tonight a resolution, paying tribute to his memory.

Senator Stookey served in the Thirty-first and Thirty-second General Assemblies. He was a good lawyer, an admirable friend, and able legislator. He did not introduce so many bills as some, but one bill which

bears his name is the Stookey bill, an educational bill which provides that the diploma of any of the accredited colleges of the state,—some seventeen independent colleges, are on the accredited list. This bill provided that any diploma should have the same force and effect as far as teaching is concerned as a diploma from the state college or state teachers' college, and that is the law today, known as the Stookey Law. He was a very genial man and well beloved by his friends.

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JOSEPH H. SWENEY.

Senator Kingland, from a special committee, submitted the following report and moved its adoption:

MR. PRESIDENT—Your committee appointed to prepare resolutions commemorating the life, character and public services of Joseph Henry Sweney beg leave to submit the following report.

Joseph Henry Sweney was born in Warren County, Pennsylvania, October 2nd, 1845. He was educated in the public schools of Pennsylvania and Iowa. He finished his education in the State University of Iowa, where he graduated. He was early admitted to the bar and engaged in the practice of law and was engaged also in his early active career at farming. He early enlisted in the Union army and served as sergeant in Company K, Twenty-seventh Regiment of Iowa Infantry. He was later made colonel of the 6th Regiment, Iowa National Guard for four years and also held the position of Brigadier and Inspector General of the state. He was a member of the Iowa Senate in the twentieth, twenty-first, and twenty-second general assemblies. He was president pro tempore of the Senate in the session of 1886 and was elected and served as a member of the fifty-first congress.

The above recited facts of the public career of Colonel Sweney evidences the esteem and confidences in which he was held by his fellowmen. In all capacities in which he served, both in public and private, he served with honor and distinction to himself and rendered faithful service to those whom he served. He was unassuming and the positions of honor and trust which he occupied during his life were due to the worth and ability of the man rather than to any self-seeking on his part, and it may be said of him that the office sought the man rather than the man the office.

He spent his entire active life in Osage, Mitchell County, Iowa, where he practiced law as his occupation when not holding office and the esteem and confidence he enjoyed from his fellowmen and colleagues is well attested by the following extract from the memorial resolutions offered by the Mitchell County Bar Association at its meeting held December 6th, 1918, and which resolutions were spread upon the record of the district court:

*Resolved*, That it is our judgment that in the death of our brother, Joseph Henry Sweney, the citizens of this county and state have lost a worthy citizen, whose life spanned almost our entire history, a citizen who was put to many severe tests with honor, patience and confidence in

his Maker and his fellowmen; that our part of the universe is certainly better because he lived and mingled with us for so many years. His memory will always be fondly cherished by us, and by all who had the privilege of knowing him intimately".

Joseph Henry Sweney died on November 11th, 1917, having lived more than the allotted years of man. His had been a life of usefulness and he died esteemed most by those who knew him best. He had been a faithful servant in private and public capacities. This is the most substantial encomium and praise that can be given to any man and constitutes the success most to be desired in the life of a human being. By his demise the community in which he lived so long feels the loss of one of natures noble men, a most worthy man and neighbor and the state mourns the loss of one of its prominent and influential citizens.

*Therefore, Be It Resolved,* That the Senate has heard with deep sorrow and regret of his death and that it recognizes the high character of his service to this state, and in his death the state has lost a worthy, distinguished and noble citizens and

*Be It Resolved,* That this Senate extend to his family its sincere sympathy in their great bereavement, and,

*Be It Further Resolved,* That these resolutions be entered upon the Senate journal and a copy sent to the bereaved family of the deceased.

T. A. KINGLAND,

J. D. BUSER,

B. J. HORCHEM.

*Committee.*

The resolutions were adopted unanimously by a rising vote.

Senator Kingland spoke in part as follows:

It was not my privilege, Senators, to be personally acquainted with Senator Sweney; I perhaps had met him and that is about all. He was rather to be classed among the pioneer lawmakers of this state. He was one of the sturdy pioneers who came to this state when it was young and it seems to me it is a tribute to a man to say that he lived in the same community for sixty-three years and had a large part in the development of that community and in the history of the state. It always appeals to me that the unassuming man who rounds out a career as has been recited that Colonel Sweney did, has been an eminent success. He not only held office in the state, but he was a member of the Fifty-first Congress, and in all these positions, I have not heard but what he filled them all to the satisfaction of his constituents.

Now I doubt not that the older men of the state, especially those who had a part in public affairs, could add a great deal to what has been recited in these resolutions. I only want to say that it is my personal satisfaction to have heard nothing but good said of the subject of these resolutions, and it can be truthfully said from the positions he occupied and his reputation as a man and as a legislator that this state has lost one of its most prominent citizens. I doubt whether the Senator from Clayton was personally acquainted with Senator Sweney, but if so, I will yield the floor to him.

Senator Newberry said in part:

I desire to say regarding Senator Sweney that he was a good presiding officer, a good lawyer. I happened to be in the convention when he was nominated to Congress. It was a very hot contest. There were three candidates. Colonel Sweney was selected by one-sixteenth of one vote. He served a term in Congress. He was a very capable man and when he came back, I think, being a man of considerable means, did not engage in his practice in law at Osage to any great extent.

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JOHN C. VOORHEES.

Senator Nelson, from a special committee, submitted the following report and moved its adoption:

MR. PRESIDENT—Your committee appointed to prepare resolutions to commemorate the life, character and public services of the Honorable John Crammer Voorhees, late of Anita, Cass County, Iowa, and a former member of the General Assembly of the State of Iowa, beg leave to submit the following report:

John Crammer Voorhees was born at White House, New Jersey, May 18, 1865, and died at his home at Anita, Iowa, on November 21st, 1918, at the age of fifty-three. He lived at White House, New Jersey, until sixteen years of age and removed to Anita, Iowa, where he has resided until his death. He was a member of the Thirty-sixth and Thirty-seventh General Assemblies.

Besides being a banker he was engaged extensively in farming, operating two large farms near Anita. He was also interested in oil lands in Oklahoma; and had extensive land interest in different parts of the United States. As a business man he made a wonderful success, being reputed the richest man in Cass County. When Mr. Voorhees came to Iowa he had nothing, and went to work and took a great deal of interest in his hardware, implement and furniture business and built up one of the largest businesses of this kind in southwestern Iowa.

On October 1st, 1884, in Atlantic, Iowa, he was united in marriage to Miss Ottumwa E. Gaylord, the Rev. E. S. Hill performing the ceremony. Mrs. Voorhees passed from this world only a few months preceding her husband. They left one son, Leon Voorhees, surviving.

Mr. Voorhees was a member of the Knights of Pythias, the Masons, the Elks of Atlantic, and the Chapter and Commandery of Masons in Atlantic. In 1914 he was elected to the state Senate from the Cass-Shelby district. His career in politics was a success. One of his strongest characteristics was his happy, sunny disposition.

*Therefore It Is Resolved*, That in his death, the state of Iowa and the nation lost a worthy and upright citizen, an honest able and fearless man and an advocate of all things for the betterment of his country and state, 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.

J. A. NELSON,  
B. J. HORCHEM,  
C. W. WILTMORE.

The resolutions were adopted unanimously by a rising vote.

In moving the adoption of the resolutions Senator Nelson spoke in part as follows:

It was not my pleasure to be very well acquainted with ex-Senator Voorhees. He was a sterling character and a real business man. He set an example before the young people of today of what may be accomplished today in this land of ours. He was a man thrown out on the cold business world early in life and advanced steadily and gradually, showing what can be accomplished in this life and as such I commend him to the people of the state of Iowa. He was a man of good business qualities, and much energy. His life was composed of deeds not words. He died early in life, yet having lived a complete life, so to say.

Senator Wilson spoke as follows:

To my mind there is no occasion of such real profit in our senatorial careers as are these memorial occasions. It is with a peculiar sense of sadness that I say anything in reference to Senator Voorhees. During the Thirty-sixth General Assembly, among all the associates I have had in the six years—four sessions, none tied themselves to me with quite the firmness as does the association of Senator Voorhees. His sunny smile, his genial manner, his hearty handclasp are things that can never be forgotten; and after all, those are the things that make for success in life, not the accumulation of wealth, not the attainment of fame, but the fact that a man is right at heart is the only thing, fellow senators, that we take with us.

When you or I die, a few tears will be shed and soon it is all forgotten. Struggle against it as we will, how sadly true it is! May it be said of us as of our brother from Cass that as we enter the river of death we have as our pilot the captain of our salvation, may we hear not only the heavens ringing hallelujahs but the still small voice saying, "Well done, thou good and faithful servant."

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#### FREDERICK TOWNSEND.

Senator Price, from a special committee, submitted the following report and moved its adoption:

Frederick Townsend was born in Albia, Iowa, July 1, 1863, and departed this life November 13, 1918. He was the son of distinguished parents and pioneers of the state of Iowa. His father, the late John S. Townsend of Albia, Iowa, was judge of the district court of Iowa from 1853 to 1863 and

was a member of the Fourth General Assembly of Iowa from Monroe and Marion Counties which convened at Iowa City on December 6, 1852. His mother Ann Elbert was the daughter of Dr. John D. Elbert of Van Buren County, Iowa, and who was elected to and served as president of the territorial council of Iowa in 1842. He received his education in the public schools of Albia and in the University of Michigan, from which he graduated in the law class in 1888. He practiced law for a time in El Paso, Texas, but in 1890 returned to Albia where he took up the practice of his profession and soon distinguished himself as a strong, able and conscientious lawyer and at the time of his death was the senior member of the firm of Townsend and Miller. In the early nineties Frederick Townsend was elected County Attorney of Monroe County and served with distinction and fairness; safeguarding the interests of the county in all cases and seeking to prosecute only the guilty and he gained the enviable reputation of never persecuting the innocent and seeing that all coming before the court received a fair and impartial trial. His ability was recognized while serving as County Attorney and his special fitness to serve the public was soon appreciated by the general public and he was elected to the Iowa Senate and sat as a member of this body in the Twenty-eighth and Twenty-ninth General Assembly, where he soon gained distinction and is remembered for his noble character and sterling integrity. Although a Democrat in politics he was above all a legislator who sought to enact into law only such measures as were for the best interest of the general public and at no time and under no condition could he be influenced to support measures which did not appeal to him as being for the best interest of the state. He was a legislator of exceptional ability but always unassuming, unpretentious and fearless in the performance of his duties.

He was a man who had the best interest of his community at heart and constantly on his mind and of his talents and services he gave freely. He served with extraordinary ability and devotion for a number of years as Secretary of the Chautauqua association of Albia and made it one of the best chautauquas in Iowa. He also served well and faithfully on the library board and the school board of his home city and during the late war gave freely, largely and liberally of his time and services on the Board of Equalization and Fuel Commission for Monroe County.

During his early manhood he was confirmed in the Episcopal church in his home city and for a number of years was one of its most active workers. At the time of his death he was a member of and a very active worker in the Big Brother Bible class of the Methodist church, in which his counsel and advice was always sought. He was kind to a fault and the lowly and needy never appealed to him in vain. In 1889 he was united in marriage with Miss Helen Dawson, to this union were born five children of whom three are living, Robert D. Townsend, Katharine Townsend and Arthur Townsend, who with the mother mourned the loss of this kind husband and loving father.

Frederick Townsend departed this life just in the prime of manhood. In his death the community in which he lived has lost a kind neighbor and a good citizen and the state one of its best and most valuable men.

*Be It Resolved*, That his family has lost a kind husband and loving father; his community a noble and self sacrificing member; and that the state has lost a valuable and patriotic citizen.

*Therefore Be It Resolved*, That these resolutions be spread upon the records of this Senate, that the same be engrossed and a copy sent to his bereaved wife, Helen D. Townsend and family at Albia, Iowa.

J. R. PRICE,  
A. L. BROXAM,  
W. G. HASKELL.

The resolutions were adopted unanimously by a rising vote.

Senator Price spoke in part as follows :

The hour is growing late and this is the last of the memorials of this session. We stand in the presence of those who are departed. I know that we cannot eulogize the memory of Fred Townsend. His life was an open book in his community. Everybody knew him,—everybody loved him. He was a young man born of the best stock in Iowa as you will appreciate from the resolution just read. His father was a member of the General Assembly in 1860. He was one of the best men in his community. He was a lawyer of influence and if ever a lawyer in the state of Iowa gained the distinction of being a man of honesty and fairmindedness, Fred Townsend was that man. His greatest asset, his greatest virtue was his sterling integrity. I cannot eulogize his life. He was faithful to his friends, and if he had any enemies, he was kind to them.

On motion of Senator Wilson the memorial session was adjourned.





# HISTORY OF SENATE BILLS IN SENATE

## SENATE FILES PASSED AND APPROVED.

Senate Files Nos. 7, 8, 13, 14, 17, 21, 24, 25, 26, 29, 32, 37, 42, 47, 51, 52, 54, 55, 60, 62, 65, 67, 72, 73, 74, 76, 77, 79, 80, 82, 86, 87, 88, 90, 91, 93, 94, 95, 96, 97, 98, 99, 102, 103, 109, 111, 115, 116, 118, 119, 121, 122, 123, 124, 127, 132, 137, 138, 142, 145, 154, 158, 159, 161, 162, 163, 167, 168, 171, 173, 174, 175, 178, 186, 188, 190, 192, 193, 203, 205, 210, 212, 214, 217, 224, 227, 228, 238, 240, 248, 253, 255, 258, 261, 265, 267, 271, 272, 274, 275, 276, 277, 278, 281, 282, 285, 287, 291, 294, 296, 297, 300, 302, 304, 308, 312, 316, 317, 321, 322, 324, 326, 329, 330, 332, 339, 340, 341, 345, 351, 357, 363, 371, 381, 387, 390, 392, 394, 402, 405, 407, 410, 420, 425, 429, 430, 431, 436, 437, 440, 442, 443, 449, 456, 457, 458, 459, 462, 464, 475, 476, 477, 479, 480, 481, 491, 494, 495, 497, 499, 500, 503, 504, 510, 513, 514, 515, 516, 518, 522, 523, 524, 525, 527, 529, 530, 531, 532, 533, 534, 535, 536, 537, 541, 543, 545; and S. J. 1, 3, 5, 6, 7.

## SUMMARY OF ACTION TAKEN.

Total bills and joint resolutions introduced in Senate.....	556
Passed both houses and approved by the governor.....	201
Passed Senate but did not pass the House.....	94
Disposed of adversely in the Senate—Indefinitely postponed.....	94
Withdrawn by author.....	93
Failed of passage.....	209
Left in Senate without definite action taken.....	52

## RECORD OF EACH BILL.

S. F.	Page	S. F.	Page
1	By Smith. To repeal the law under which official reports of county proceedings are published in foreign language newspapers.		posed issue of corporation stock.
	Introduced and referred..... 18		Introduced and referred..... 75
	Reported for amendment..... 287		Reported for substitute..... 251
	Amendment adopted..... 303		Withdrawn by author..... 349
	Amended..... 303	5	By Schaffter. Repealing the law which forbids an attorney to call the attention of a jury to the refusal of a defendant to testify in his own behalf in a criminal case.
	Passed; ayes 43, nays 0..... 305		Introduced and referred..... 75
	Senate requests return..... 1054		Withdrawn by author..... 265
	Withdrawn by author..... 1081	6	By Buser. Legalizing any incorporation where notice of publication has been made after the time required by law.
2	By Van Alstyne. Creating a commission of three to revise and codify the statute laws.		Introduced and referred..... 76
	Introduced and referred..... 18		Reported for ind. postponement. 715
	S. F. 210 substituted for..... 628		Indefinitely postponed..... 715
	Withdrawn by author.	7	By Wilson. Making the law against insurance combines apply to fire insurance business.
3	By Price. Providing for the nomination and election of judges of all courts by party conventions.		Introduced and referred..... 134
	Introduced and referred..... 18		Reported for passage..... 1087
	Ordered to report by March 7.... 756		Amended..... 1188
	No recommendation..... 812		
	Withdrawn by author..... 922		
4	By Byington. Directing the executive council to fix the time for hearing for a pro-		

S. F.	Page	S. F.	Page
Passed; ayes 36, nays 0.....	1188	15 By Whitmore. Raising the compensation of city assessors.	
Motion to reconsider prevailed.....	1190		
Amendment withdrawn.....	1190	Introduced and referred.....	142
Passed; ayes 36, nays 0.....	1190	Reported for substitution of S. F. 65.....	298
Reported correctly enrolled.....	2105		
Signed by the president.....	2115	16 By Whitmore. Limiting the increase of salaries of public officers provided for by this general assembly to June 30, 1921.	
Sent to the governor.....	2130		
Signed by the governor, April 22.		Introduced and referred.....	143
		Reported for amendment.....	518
8 By Wilson. Authorizing final discharge of a parolee who has served honorably in the war.		Amendment adopted.....	548
		Passed; ayes 35, nays 0.....	548
Introduced and referred.....	124		
Reported for passage.....	600	17 By Horchem. Forbidding the commitment by juvenile court of any child under the age of ten years to a state training school.	
Passed; ayes 46, nays 0.....	632		
Reported correctly enrolled.....	1794	Introduced and referred.....	143
Signed by the president.....	1789	Reported for amendment.....	234
Sent to the governor.....	1799	Amendment adopted.....	251
Signed by the governor.....	2043	Passed; ayes 42, nays 0.....	252
		Reported correctly enrolled.....	239
9 By Foster. Relating to guide boards at cross roads and standard signs.		Signed by the president.....	639
		Sent to the governor.....	557
Introduced and referred.....	134	Signed by the governor Feb. 15.....	710
Reported for amendment.....	1092		
		18 By Ratcliff. Requiring every public school to be maintained at least thirty-six weeks in year.	
10 By Meredith. Providing for the election of county superintendents of schools.			
		Introduced and referred.....	144
Introduced and referred.....	134	Reported for amendment.....	519
Reported for ind. postponement.....	334	Amendment adopted.....	551
Indefinitely postponed.....	393	Withdrawn by author.....	564
11 By Kimball. Modifying the primary election law and enlarging the authority of party conventions.		19 By Ball. Authorizing a county to borrow money in excess of legal limitation when approved by vote of people.	
Introduced and referred.....	135	Introduced and referred.....	144
Reported for amendment.....	316	Reported for passage.....	928
Report adopted.....	316 and 318	Amended.....	984
Amendment adopted.....	379 to 383	Passed; ayes 38, nays 4.....	984
Passed; ayes 34, nays 11.....	384		
		20 By Ball. Authorizing a city or town to levy a tax to support municipal band.	
12 By Whitmore. Correcting an error regarding automobile lights.			
		Introduced and referred.....	144
Introduced and referred.....	143	Reported for ind. postponement.....	518
Reported for passage.....	624	Indefinitely postponed.....	518
Passed; ayes 41, nays 0.....	685		
		21 By Kimball. Relating to the election of presidential electors and senators and the form of the ballot therefor.	
13 By Whitmore. Providing for the printing of 6,000 copies of the session law.			
		Introduced and referred.....	144
Introduced and referred.....	143	Reported for amendment.....	246
Reported for passage.....	300	Amendment adopted.....	525
Passed; ayes 45, nays 0.....	685	Passed; ayes 40, nays 5.....	531
Reported correctly enrolled.....	580	Reported correctly enrolled.....	1216
Signed by the president.....	581	Signed by the president.....	1223
Sent to the governor.....	594	Sent to the governor.....	1228
Signed by the governor Feb. 21.....	773	Signed by the governor Mar. 27.....	1420
14 By Whitmore. To give the park commission authority to approve the orders of a river front commission affecting city parks.		22 By Van Alstine. In relation to the challenging of jurors and exercise of peremptory challenges.	
Introduced and referred.....	143		
Reported for passage.....	300		
Passed; ayes 43, nays 0.....	316		
Reported for amendment.....	886		
Concurs in; ayes 31, nays 0.....	1159		
Reported correctly enrolled.....	1218		
Signed by the president.....	1223		
Sent to the governor.....	1226		
Signed by the governor Mar. 27.....	1420		

S. F.	Page	S. F.	Page
Introduced and referred.....	144	Concurs; ayes 40, nays 0.....	1514
Reported for substitution of S. F. 116 .....	265	Reported correctly enrolled.....	1651
Withdrawn by the author.....	306	Signed by the president.....	1670
23 By Stoddard. Sale of municipal bonds in small sums with a view to popular subscription by citizens.		Sent to the governor.....	1728
Introduced and referred.....	145	Signed by the governor Apr. 10. .	1926
Reported for ind. postponement.	541	30 By Hale. Increasing the number of state agents employed by board of control.	
Indefinitely postponed.....	541	Introduced and referred.....	174
24 By Wilson. Increase the pay of shorthand reporters in court.		Withdrawn by the author.....	185
Introduced and referred.....	145	31 By Hale. Changing the name of the reformatory at Anamosa to "Men's Reformatory."	
Reported for ind. postponement.	1013	Introduced and referred.....	174
Report rejected .....	1013	Reported for passage.....	332
Passed; ayes 35, nays 6.....	1264	Passed; ayes 44, nays 0.....	501
Reported correctly enrolled.....	2046	32 By Hale. Authorizing sale of the state farm in Lyon county adjacent to the state stone quarry.	
Signed by the president.....	2046	Introduced and referred.....	175
Sent to the governor.....	2048	Reported for amendment.....	314
Signed by the governor Apr. 18.		Amendment adopted.....	393
25 By Schaffter. Making the health physician of a city or town a member of the local board of health.		Passed; ayes 44, nays 0.....	393
Introduced and referred.....	173	Reported correctly enrolled.....	639
Reported for passage.....	614	Signed by the president.....	640
Passed; ayes 45, nays 0.....	614	Sent to the governor.....	670
Reported correctly enrolled.....	1217	Signed by the governor Feb. 25..	758
Signed by the president.....	1223	33 By Whitmore. In relation to housing conditions in cities.	
Sent to the governor.....	1227	Introduced and referred.....	175
Signed by the governor Mar. 27.	1420	Withdrawn by the author.	
26 By Schaffter. Extending to 100 miles the distance witnesses may be compelled to travel to attend court.		34 By Parker. Appropriating to J. C. Kuble for personal injuries by a state automobile.	
Introduced and referred.....	173	Introduced and referred.....	175
Reported for passage.....	225	Reported for ind. postponement.	557
Passed; ayes 42, nays 0.....	235	Indefinitely postponed .....	557
Reported correctly enrolled.....	647	35 By Parker. Appropriating to Charles Berry for horses and mules killed by state authority.	
Signed by the president.....	677	Introduced and referred.....	175
Sent to the governor.....	695	Reported for ind. postponement.	1097
Signed by the governor Feb. 25..	758	Indefinitely postponed .....	1097
27 By Buser. Providing that each county get out of the automobile fund 90 per cent of the automobile tax paid by the residents of said county.		36 By Parker. Increasing the allowance by a county to a blind person from \$150 to \$300.	
Introduced and referred.....	174	Introduced and referred.....	175
Reported as withdrawn.....	359	Reported for ind. postponement.	1097
Re-referred to committee.....	784	Indefinitely postponed .....	1097
Re-referred to joint committee.	1649	37 By Parker. Increasing the allowance by a county to a blind person from \$150 to \$300.	
Re-referred to sub-committee.	1675	Introduced and referred.....	175
28 By Smith. Making the partition fence law apply to timber land as well as farm land.		Reported for passage.....	391
Introduced and referred.....	174	Withdrawn by the author.....	2302
Withdrawn by author.....	773	37 By Coburn. Legalizing acts of the Marcus & Amherst Cemetery Association.	
29 By Hale. Special appropriations for the use of the board of control at the state institutions.		Introduced and referred.....	176
Introduced and referred.....	174	Reported for passage.....	250
Reported for passage.....	331	Passed; ayes 35, nays 0.....	268
Passed; ayes 40, nays 0.....	506	Reported correctly enrolled.....	344
		Signed by the president.....	345
		Sent to the governor.....	359
		Signed by the governor Feb. 8..	851

S. F.	Page	S. F.	Page
38 By Byington. Exempting of civil war veterans from special assessment for street improvements.		Introduced and referred.....	182
Introduced and referred.....	176	Reported for passage.....	226
Reported for ind. postponement.....	1041	Re-referred to committee.....	384
Indefinitely postponed.....	1042	Reported for ind. postponement.....	912
39 By Wilson. Requiring that a motor vehicle slow down at railroad crossings.		Indefinitely postponed.....	912
Introduced and referred.....	176	47 By Kimball. Authorizing secretary of state to contract for the survey of abandoned river channels.	
Re-referred to joint judiciary.....	1649	Introduced and referred.....	182
Re-referred to sub-committee.....	1675	Reported for passage.....	264
40 By Broxam. To legalize a special election in Maquoketa, Jackson county.		Report adopted.....	300
Introduced and referred.....	176	Passed; ayes 40, nays 0.....	301
Reported for substitute for 217.....	521	Reported correctly enrolled.....	701
Withdrawn by the author.....	563	Signed by the president.....	702
41 By Price. To regulate the practice of chiropractic and to examine and license chiropractors.		Signed by governor Mar. 1.....	773
Introduced and referred.....	176	48 By Ratcliff. Requiring county recorder to make quarterly settlement of fees received.	
Reported for substitute for 217.....	521	Introduced and referred.....	182
Withdrawn by the author.....	563	Reported for amendment.....	529
41 By Price. To regulate the practice of chiropractic and to examine and license chiropractors.		Withdrawn by the author.....	561
Introduced and referred.....	181	49 By Ratcliff. Authorizing a special record for final discharge of soldiers in the late war.	
Reported for passage.....	652	Introduced and referred.....	182
Amended.....	714	Withdrawn by the author.....	860
Passed; ayes 29, nays 17.....	721	50 By Ratcliff. Providing that soldiers' and sailors' widows be exempted from payment of fees for certified copies of public records on pension matters.	
Motion filed to reconsider.....	736	Introduced and referred.....	183
42 By Ball. Authorizing the use of funds arising from sale of extinct churches after five years.		Withdrawn by the author.....	860
Introduced and referred.....	181	51 By Foskett. Increasing the limit of the tax levy for road dragging to two mills.	
Reported for amendment.....	374	Introduced and referred.....	183
Amendment adopted.....	394	Reported for amendment.....	314
Passed; ayes 37, nays 0.....	503	Amendment adopted.....	336
Concurs; ayes 32, nays 18.....	1157	Passed; ayes 42, nays 0.....	336
Reported correctly enrolled.....	1215	House requests return of.....	1081
Signed by the president.....	1223	Request granted.....	1081
Sent to the governor.....	1229	Reported correctly enrolled.....	1966
Signed by the governor Mar. 27.....	1420	Signed by the president.....	1985
43 By Proudfoot. Extending to five days the time for making a motion for a new trial.		Sent to the governor.....	1985
Introduced and referred.....	181	Signed by the governor Apr. 17.....	
Reported for passage.....	225	52 By Foskett. To legalize the re-incorporation of the Page County Building and Loan Association.	
Passed; ayes 42, nays 0.....	236	Introduced and referred.....	183
Vote reconsidered.....	237	Reported for passage.....	250
S. F. 109 substituted.....	246	Passed; ayes 35, nays 0.....	267
44 By Rainbow. Providing for submitting a proposition for the establishment of municipal court.		Reported correctly enrolled.....	453
Introduced and referred.....	182	Signed by the president.....	495
Reported for passage.....	250	Sent to the governor.....	557
Referred to committee.....	283	Signed by the governor Feb. 15.....	710
Withdrawn by the author.....	756	53 By Evans. To establish the Torrens system of registration of land titles.	
45 By Rainbow. Providing a four-year term for county officials.		Introduced and referred.....	203
Introduced and referred.....	181	Reported for amendment.....	753
Withdrawn by the author.....	623	Amendment adopted.....	914
46 By Kimball. Making the law as to compensation of judges of the superior court apply to court in county seats.		Passed; ayes 32, nays 14.....	914
Introduced and referred.....	203	Motion to reconsider filed.....	920
Reported for amendment.....	753		
Amendment adopted.....	914		
Passed; ayes 32, nays 14.....	914		
Motion to reconsider filed.....	920		

S. F.	Page	S. F.	Page
54 By Kimball. Authorizing a judge to audit claims of jury commissioners for compensation.		61 By Meredith. To amend the ballot law so that names of presidential electors be omitted.	
Introduced and referred.....	203	Introduced and referred.....	294
Reported for passage.....	333	Recommended incorporated in S. F. 21.....	246
Passed; ayes 36, nays 0.....	348	Withdrawn by the author.....	1271
Reported correctly enrolled.....	1650	62 By Parker. To appropriate to pay expenses of the inaugural ceremonies.	
Signed by the president.....	1670	Introduced and referred.....	204
Sent to the governor.....	1727	Reported for passage.....	234
Signed by the governor Apr. 9.....	1926	Passed; ayes 43, nays 0.....	326
55 By Rainbow. Requiring an assessor to furnish list of persons subject to poll tax to city or town clerk.		Reported correctly enrolled.....	344
Introduced and referred.....	203	Signed by the president.....	345
Reported for passage.....	1141	Sent to the governor.....	358
Report adopted.....	1232	Signed by the governor Feb. 8.....	372
Passed; ayes 36, nays 0.....	1232	63 By Whitmore. Authorizing a city to pay for the pavement opposite a cemetery.	
Reported correctly enrolled.....	2203	Introduced and referred.....	205
Signed by the president.....	2196	Withdrawn by the author.....	234
Sent to the governor.....	2241	64 By Whitmore. Authorizing paying of a street and public road leading to a cemetery out of city funds.	
Signed by the governor Apr. 25.....		Introduced and referred.....	205
56 By Byington. To appropriate to C. A. Wissler for damages.		Withdrawn by the author.....	234
Introduced and referred.....	203	65 By Committee on Cities and Towns. Relating to the compensation of assessors.	
Referred back to committee.....	698	Introduced and passed on file.....	208
Reported for ind. postponement.....	1097	Recommends substitution of S. F. 65.....	208
Report rejected.....	1098	Passed; ayes 46, nays 1.....	227
Re-referred to committee.....	1098	Reported for amendment.....	886
Recommends amendment.....	1398	Concurs in amendments; ayes 29, nays 0.....	1185
Amendment adopted.....	1508	Reported correctly enrolled.....	1316
Failed to pass; ayes 30, nays 13.....	1609	Signed by the president.....	1316
57 By Ratcliff. Fixing the procedure for probation of a will.		Sent to the governor.....	1335
Introduced and referred.....	203	Signed by the governor Mar. 28.....	
Reported for ind. postponement.....	579	66 By Fralley. Adopting a flag for the state of Iowa.	
Indefinitely postponed.....	579	Introduced and referred.....	212
58 By Byington. To exclude aliens from employment as teachers in the public schools and in state institutions.		Reported for passage.....	549
Introduced and referred.....	204	Failed to pass; ayes 14, nays 30.....	569
Recalled and re-referred.....	283	67 By Broxam. Requiring a fee of \$2 for renewal of pharmacy certificate, of which half goes to the Iowa Pharmaceutical Association.	
Reported for amendment.....	543	Introduced and referred.....	212
Amendment adopted.....	724	Recommends passage.....	314
Passed; ayes 29, nays 15.....	726	Passed; ayes 30, nays 12.....	327
Motion filed to reconsider.....	730	Reported correctly enrolled.....	1218
Reconsidered, amended, passed 37 to 6.....	820	Signed by the president.....	1223
59 By Hale. Limiting period of commitments from juvenile court to a state institution.		Sent to the governor.....	1226
Introduced and referred.....	204	Signed by the governor Mar. 27.....	
Reported for amendment.....	332	68 By Wilson. Making the automobile registration law apply to trucks, drays and delivery wagons.	
Amendment adopted.....	502	Introduced and referred.....	213
Passed; ayes 41, nays 2.....	502	Reported for passage.....	837
60 By Hale. Increasing the number of state home finding agents appointed by the board of control.		Passed; ayes 46, nays 0.....	892
Introduced and referred.....	204		
Reported for passage.....	332		
Re-referred to committee.....	391		
Recommended amendment.....	391		
Amendment adopted.....	564		
Passed; ayes 44, nays 0.....	565		
Reported correctly enrolled.....	1360		
Signed by the president.....	1364		
Sent to the governor.....	1429		
Signed by the governor Mar. 29.....			

S. F.	Page	S. F.	Page
69 By Kimball. Making it unlawful to display, raise or follow any red flag or other insignia with intent to defy regularly established authority.		Introduced and referred.....	220
Introduced and referred.....	213	Recommends substitution of S. F. 220 .....	524
Reported for passage.....	287	76 By Le Compte. Changing the time within which a candidate may withdraw from a primary ballot.	
Passed; ayes 45, nays 0.....	305	Introduced and referred.....	220
70 By Newberry. Authorizing the condemnation and destruction of barberry hedges.		Reported for amendment.....	493
Introduced and referred.....	213	Amendment adopted.....	546
Reported for passage.....	287	Passed; ayes 36, nays 0.....	547
Withdrawn by author.....	293	Reported correctly enrolled.....	1215
71 By Hale. Changing name of the hospital for inebriates to "Iowa institution for subnormals."		Signed by the president.....	1232
Introduced and referred.....	213	Sent to the governor.....	1229
Reported for passage.....	287	Signed by the governor Mar. 27.....	1420
Withdrawn by author.....	293	77 By Brookhart. To increase the limit of expenses of a county superintendent of schools.	
71 By Hale. Changing name of the hospital for inebriates to "Iowa institution for subnormals."		Introduced and referred.....	220
Introduced and referred.....	213	Re-referred .....	519
Reported for passage.....	598	Reported for ind. postponement.....	834
Re-referred to committee.....	598	Indefinitely postponed .....	834
Recommends postponement.....	1399	Motion to reconsider .....	890
Indefinitely postponed.....	1399	Motion prevailed .....	1080
72 By Kimball. To appropriate to J. H. Mayne for surveying East Omaha.		Passed; ayes 34, nays 7.....	1080
Introduced and referred.....	213	Reported correctly enrolled.....	2294
Reported and re-referred.....	1733	Signed by the president.....	2319
Recommends passage .....	1882	Sent to the governor.....	2322
Passed; ayes 35, nays 0.....	2197	Signed by the governor Apr. 22.	
Reported correctly enrolled.....	2334	78 By Schaffter. Providing for oral interrogatories for a deposition.	
Signed by the president.....	2338	Introduced and referred.....	220
Sent to the governor.....	2338	Reported for ind. postponement.....	499
Signed by the governor Apr. 25.		Indefinitely postponed .....	449
73 By Kimball. Authorizing erection of a building for use of supreme court on the capitol ground.		79 By Byington. To appropriate to complete laboratory building at Oakdale and for an X-Ray machine.	
Introduced and referred.....	219	Introduced and referred.....	221
Reported for amendment.....	558	Re-referred .....	332
Re-referred .....	358	Reported for passage.....	391
Reported for indefinite postponement; report rejected.....	870	Passed; ayes 45, nays 0.....	506
Amended .....	1301	Reported correctly enrolled.....	1651
Passed; ayes 30, nays 12.....	1305	Signed by the president.....	1670
Concurs in amendments; ayes 34, nays 3.....	2168	Sent to the governor.....	1728
Reported correctly enrolled.....	2294	Signed by the governor Apr. 9.....	1926
Signed by the president.....	2322	80 By Newberry. Fixing the time of commencing actions on judgments without the permission of the judge.	
Sent to the governor.....	2322	Introduced and referred.....	221
Signed by the governor Apr. 25.		Reported for passage.....	250
74 By Buser. Providing for the issuance of licenses to those desiring to catch or kill mussels for commercial purposes.		Report adopted .....	275
Introduced and referred.....	219	Passed; ayes 36, nays 0.....	275
Reported without recommendation .....	991	Concurs in amendments; ayes 42, nays 8 .....	3154
Passed; ayes 27, nays 12.....	1022	Reported correctly enrolled.....	1218
Reported correctly enrolled.....	1218	Signed by the president.....	1223
Signed by the president.....	1223	Sent to the governor.....	1226
Sent to the governor.....	1226	Signed by the governor Mar. 28.....	1420
Signed by the governor Mar. 27.....	1420	81 By Ratcliff. Applying the law as to examination of insurance companies to county mutuals.	
75 By Rule. Amending the law forbidding sale of cigarettes to minors.		Introduced and referred.....	221
Introduced and referred.....	219	Reported for amendment.....	1338
Reported without recommendation .....	991	Amendment adopted .....	1466
Passed; ayes 27, nays 12.....	1022	Passed; ayes 26, nays 14.....	1467
Reported correctly enrolled.....	1218		
Signed by the president.....	1223		
Sent to the governor.....	1226		
Signed by the governor Mar. 27.....	1420		

S. F.	Page	S. F.	Page
82 By Van Alstine. To make uniform the law on sales of goods.		89 By Kimball. Relative to compensation for injured employees engaged in interstate commerce.	
Introduced and referred.....	221	Introduced and referred.....	231
Reported for passage.....	228	90 By Scott. Giving a judge in vacation authority to prescribe the manner of notice in probation of a will.	
Amendments proposed.....	228	Introduced and referred.....	231
Amended.....	217 and 221	Reported for passage.....	228
Passed; ayes 26, nays 21.....	221	Passed; ayes 42, nays 0.....	1217
Reported correctly enrolled.....	2171	Reported correctly enrolled.....	1223
Signed by the president.....	2177	Signed by the president.....	1226
Sent to the governor.....	2178	Sent to the governor.....	1420
Signed by the governor Apr. 25.		Signed by the governor Mar. 27.....	1420
83 By Whitmore. Relative to shorthand reporters' notes as evidence in court.		91 By Schaffter. Relative to the manner of revising city or town ordinances.	
Introduced and referred.....	221	Introduced and referred.....	231
Reported for passage.....	251	Reported for amendment.....	257
Passed; ayes 32, nays 0.....	269	Amendment adopted.....	273
84 By Anderson. Conferring upon cities and towns the authority to adopt a budget system.		Passed; ayes 35, nays 0.....	274
Introduced and referred.....	221	Reported correctly enrolled.....	647
Withdrawn by the author.....	3294	Signed by the president.....	648
85 By Anderson. Providing for the certification of shorthand court reporters.		Sent to the governor.....	670
Introduced and referred.....	222	Signed by the governor Feb. 25.....	758
Reported for ind. postponement.....	1729	92 By Holdoegel. To appropriate to B. F. Owens for automobile stolen.	
Indefinitely postponed.....	1729	Introduced and referred.....	231
86 By Horchem and Kimberly. Fixing the limit of salaries for probation officers in certain cities at \$150 a month.		Withdrawn by the author.....	1120
Introduced and referred.....	222	93 By Foster. To limit the commencement of an action for the recovery of an interest in real estate on old claims.	
Reported for amendment.....	333	Introduced and referred.....	232
Amendment adopted.....	357	Reported for amendment.....	752
Amendment offered and adopted.....	357	Amendment adopted.....	840
Passed; ayes 43, nays 0.....	358	Passed; ayes 38, nays 3.....	842
Concurs in amendments; ayes 33, nays 17.....	738	Concurs in amendments; ayes 29, nays 0.....	1885
Reported correctly enrolled.....	821	Reported correctly enrolled.....	2045
Signed by the president.....	823	Signed by the president.....	2047
Sent to the governor.....	850	Sent to the governor.....	2048
Signed by the governor Mar. 11.....	929	Signed by the governor Apr. 18.....	
87 By Ball. Applying the law for construction of railroad viaducts to cities of 5,000.		94 By Rule. To require reporting cases of venereal diseases, and for a quarantine.	
Introduced and referred.....	222	Introduced and referred.....	232
Reported for passage.....	835	Reported for amendment.....	330
Passed; ayes 44, nays 0.....	892	Amendment adopted.....	337
Reported correctly enrolled.....	1360	Re-referred.....	337
Signed by the president.....	1364	Recommends amendment.....	969
Sent to the governor.....	1429	Amendment adopted.....	1170
Signed by the governor Mar. 28.....		Passed; ayes 34, nays 2.....	1170
88 By Hale. Increasing allowance for support of state institutions.		Concurs in amendments; ayes 36, nays 0.....	2161
Introduced and referred.....	230	Reported correctly enrolled.....	2293
Reported for amendment and re-referred.....	331	Signed by the president.....	2319
Reported for amendment.....	542	Sent to the governor.....	2322
Amendment adopted.....	549	Signed by the governor Apr. 22.....	
Passed; ayes 37, nays 0.....	550	95 By LeCompte. Relating to the powers and duties of township trustees with regard to cemeteries.	
Reported correctly enrolled.....	770	Introduced and referred.....	229
Signed by the president.....	773	Reported for amendment.....	822
Sent to the governor.....	800	Passed; ayes 45, nays 0.....	927
Signed by the governor Mar. 7.....	849		



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Reported correctly enrolled.....	1791	Reported for passage.....	869
Signed by the president.....	1789	Passed; ayes 42, nays 0.....	974
Sent to the governor.....	1799	Reported correctly enrolled.....	1216
Signed by the governor Apr. 11.....	2043	Signed by the president.....	1223
96 By Greenell. Permitting a bailliff in municipal courts to retain mileage and expenses.		Sent to governor.....	1228
Introduced and referred.....	239	Signed by the governor Mar. 27.....	1420
Reported for passage.....	391	103 By Coburn. To authorize state to pave road adjacent to hospital for insane at Cherokee.	
Amended.....	598	Introduced and referred.....	241
Passed; ayes 46, nays 0.....	598	Re-referred.....	543
Reported correctly enrolled.....	822	Recommends amendment.....	968
Signed by the president.....	823	Passed; ayes 36, nays 0.....	1020
Sent to the governor.....	859	Reported correctly enrolled.....	1878
Signed by the governor Mar. 11.....	929	Signed by the president.....	1899
97 By Broxam. Providing for extension of time of ship- ment of live stock.		Sent to governor.....	1916
Introduced and referred.....	240	Signed by the governor Apr. 11.....	2043
Reported for passage.....	835	104 By Kingland. Compelling arbitration in civil actions when the amount in contro- versy does not exceed \$500.	
Passed; ayes 43, nays 0.....	895	Introduced and referred.....	241
Motion filed to reconsider.....	930	Reported for postponement.....	579
Reconsidered.....	935	Indefinitely postponed.....	579
Amended.....	935	105 By Kingland. To provide method of changing bound- ary lines between school dis- tricts.	
Passed; ayes 39, nays 9.....	935	Introduced and referred.....	241
Reported correctly enrolled.....	1359	Reported for postponement.....	1730
Signed by the president.....	1364	Indefinitely postponed.....	1730
Sent to the governor.....	1430	106 By Parker. Making law as to municipal accounting ap- ply to all cities without re- gard to population.	
Signed by the governor Mar. 31.....	1459	Introduced and referred.....	241
98 By Reed. To legalize cer- tain warrants of the city of Oelwein.		Withdrawn by the author.....	1530
Introduced and referred.....	240	107 By Parker. To appropriate for M. Polson for personal injuries.	
Reported for passage.....	265	Introduced and referred.....	241
Passed; ayes 43, nays 0.....	289	Reported for indefinite post- ponement.....	1096
Reported correctly enrolled.....	701	Indefinitely postponed.....	1096
Signed by the president.....	702	108 By Kimball. Relating to the furnishing of postage for the General Assembly.	
Signed by the governor Mar. 1.....	773	Introduced, and taken up.....	253
99 By White. Relative to the legalizing of decrees of court and affidavits of publication.		Failed to pass; ayes 15, nays 27.....	253
Introduced and referred.....	240	109 By Proudfoot. Extending from three days to five days the time for making a mo- tion for a new trial.	
Reported for amendment.....	313	Introduced and passed on file..	246
Amendment adopted.....	337	Reported for passage.....	257
Passed; ayes 44, nays 0.....	337	Passed; ayes 41, nays 0.....	257
Reported correctly enrolled.....	1216	Reported correctly enrolled.....	522
Signed by the president.....	1223	Signed by the president.....	516
Sent to the governor.....	1228	Sent to the governor.....	539
Signed by the governor Mar. 27.....	1420	Signed by the governor, Feb. 15.....	710
100 By Kingland. Relative to the assessment and taxation of mortgages.		110 By Committee on Judiciary No. 2. Providing for ap- praisalment of property for which it is proposed to is- sue stock.	
Introduced and referred.....	240	Introduced and referred.....	240
Reported for amendment.....	313	Reported for passage.....	670
Reported for indefinite post- ponement.		Re-referred.	
Indefinitely postponed.....	673		
101 By Kimberly. Making pen- sions for firemen commence when the fireman is actually retired.			
Introduced and referred.....	240		
Withdrawn by the author.....	623		
102 By Pitt. To appropriate to P. K. Holbrook for per diem and expenses.			
Introduced and referred.....	240		
Reported for passage.....	670		
Re-referred.			

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Introduced, passed on file.....	251	118 By Van Alstine. Relating to annual reports of corporations and making provision for cancellation of charter.	
Amendment adopted .....	347	Introduced and referred.....	270
Passed: ayes 40, nays 0.....	348	Reported for amendment.....	1195
111 By Evans. Relating to condemnation of land for state purposes.		Amendment adopted .....	1344
Introduced and referred.....	256	Passed: ayes 37, nays 1.....	1346
Reported for amendment .....	788	Reported correctly enrolled....	1650
Amendment adopted .....	842	Signed by the president.....	1670
Passed: ayes 29, nays 16.....	842	Sent to the governor.....	1727
Motion filed to reconsider.....	922	Signed by the governor Apr. 10, 1926	
Reported correctly enrolled....	1651	119 By Van Alstine. Relating to election by surviving spouse to take under a decedent's will.	
Signed by the president.....	1670	Introduced and referred.....	270
Sent to the governor.....	1728	Reported for amendment.....	649
Signed by the governor Apr. 9, 1926		Amendment adopted .....	743
112—By Adams. Making general law on insurance companies apply to companies insuring live stock.		Passed: ayes 43, nays 0.....	743
Introduced and referred.....	256	Reported correctly enrolled....	1650
Reported for ind. postponement.....	1161	Signed by the president.....	1670
Indefinitely postponed .....	1161	Sent to the governor.....	1727
113 By Foster. Relating to insanity as a cause for divorce.		Signed by the governor Apr. 9, 1926	
Introduced and referred.....	256	120 By Van Alstine. Relating to foreign wills filed in an office of recorder or clerk.	
Reported for ind. postponement.....	375	Introduced and referred.....	270
Indefinitely postponed .....	375	Reported for ind. postponement.....	1725
114 By Meredith. Relating to descent and exemption of homesteads.		Indefinitely postponed .....	1725
Introduced and referred.....	256	121 By Van Alstine. Repeal of the law as to non-user of a franchise.	
Reported for ind. postponement.....	927	Introduced and referred.....	270
Indefinitely postponed .....	927	Reported for passage.....	1197
115 By Hale and Frailey. Revising the scale of salaries at the institutions under the board of control.		Passed: ayes 38, nays 0.....	1347
Introduced and referred.....	256	Reported correctly enrolled....	2294
Reported for amendment.....	542	Signed by the president.....	2319
Re-referred .....	542	Sent to the governor.....	2323
Reported for amendment.....	596	Signed by the governor Apr. 24	
Amendment adopted .....	633	122 By Taylor. Providing for terminating financial aid to widowed mothers.	
Passed: ayes 41, nays 2.....	633	Introduced and referred.....	270
Reported correctly enrolled....	1793	Reported for passage.....	333
Signed by the president.....	1789	Passed: ayes 40, nays 0.....	504
Sent to the governor.....	1809	Reported correctly enrolled....	1359
Signed by the governor, Apr. 11, 2043		Signed by the president.....	1364
116 By Committee on Judiciary No. 2. To regulate challenges in the selection of juries.		Sent to the governor.....	1430
Introduced, passed on file.....	265	Signed by the governor Mar. 31, 1459	
Recommends substitute for S. F. 22 .....	265	123 By Foskett. To appropriate for fuel, water, light, repairs, etc., at the state capitol.	
Passed: ayes 42, nays 0.....	290	Introduced and referred.....	273
Concurs in amendments; ayes 31, nays 0.....	739	Reported for passage.....	390
Reported correctly enrolled....	821	Passed: ayes 44, nays 0.....	509
Signed by the president.....	823	Reported correctly enrolled....	669
Sent to the governor.....	850	Signed by the president.....	677
Signed by the governor Mar. 11, 929		Sent to the governor.....	695
117 By Frailey. Increasing pay of members of the board of control.		Signed by the governor Feb. 25, 758	
Introduced and referred.....	269	124 By Schaffter. Revising the schedule of salaries for county auditor, county treasurer, recorder, sheriff and clerk of the courts.	
Re-referred .....	813	Introduced and referred.....	273
Reported for ind. postponement.....	1092	Reported for amendment.....	705
Indefinitely postponed .....	1092		

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Amendment adopted .....	705	132 By Arney. Relating to rules of admission to the Iowa Soldier's Home.	
Amended .....	1192	Introduced and referred.....	280
Passed; ayes 30, nays 10.....	1194	Reported for amendment.....	867
Concurs in amendments; ayes 29, nays 4 .....	2127	Amendments adopted .....	944
Reported correctly enrolled.....	2262	Passed; ayes 43, nays 0.....	944
Signed by the president.....	2196	Reported correctly enrolled.....	1668
Sent to the governor.....	2239	Signed by the president.....	1670
Signed by the governor Apr. 22.		Sent to the governor.....	1728
125 By Taylor. To limit the hours of employment of females and regulate their employment.		Signed by the governor Apr. 9.....	1926
Introduced and referred.....	278	133 By Arney. For the remission of taxes for any institution for the care and custody of public charges.	
Reported for passage.....	1683	Introduced and referred.....	280
126 By Ratcliff. To appropriate for Peters & Parker for loss in construction work on a state contract.		Reported for amendment.....	926
Introduced and referred.....	278	Amendment adopted .....	1015
Reported for ind. postponement	671	Passed; ayes 38, nays 0.....	1016
Indefinitely postponed.....	671	134 By Kingland. To regulate the employment of a legislative lobby.	
127 By Smith. Providing for a transcript of any conveyance which has been recorded in the clerk's office.		Introduced and referred.....	280
Introduced and referred.....	278	Reported for ind. postponement	374
Reported for passage.....	971	Indefinitely postponed .....	374
Passed; ayes 39, nays 0.....	1021	135 By Kingland. Providing for the cross examination of the adverse party to the record of any civil action.	
Reported correctly enrolled.....	1693	Introduced and referred.....	297
Signed by the president.....	1615	Reported for ind. postponement.	597
Sent to the governor.....	1623	Report rejected .....	597
Signed by the governor.....	1926	Failed to pass; ayes 17, nays 26	682
128 By Buser. Relating to disputed boundaries and the admissibility of evidence to establish the same.		Motion to reconsider.....	696
Introduced and referred.....	279	Passed; ayes 27, nays 19.....	1263
Reported for postponement.....	715	136 By Ratcliff. Increasing pay of a clerk to the grand jury.	
Indefinitely postponed.....	715	Introduced and referred.....	297
Motion filed to reconsider.....	730	Reported for amendment.....	375
Reconsidered .....	882	Amendment adopted .....	509
Amended .....	1168	Passed; ayes 41, nays 1.....	509
Passed; ayes 33, nays 11.....	1168	Motion filed to reconsider.....	512
129 By Buser. Providing the time within which an established road must be opened by the board of trustees.		Reconsidered and amended.....	2155
Introduced and referred.....	219	Passed; ayes 33, nays 0.....	2155
Reported for ind. postponement	834	137 By Stephenson. To appropriate to pay expenses of persons sent to camps to take the votes of soldiers.	
Indefinitely postponed .....	834	Introduced and referred.....	297
130 By Buser. Providing a way to settle controversies as to division of work on boundary roads between townships.		Reported for passage.....	389
Introduced and referred.....	279	Re-referred .....	510
Reported for amendment.....	1687	Reported for amendment.....	1883
131 By Brookhart. Relative to the filing and recording of articles of incorporation of cooperative associations.		Amendment adopted .....	1934
Introduced and referred.....	279	Passed; ayes 39, nays 2.....	1935
Reported for amendment.....	714-744	Concurs in amendments; ayes 36, nays 0 .....	2215
Amendment adopted .....	774	Reported correctly enrolled.....	2309
Passed; ayes 40, nays 0.....	774	Signed by the president.....	2319
		Sent to the governor.....	2319
		Signed by the governor Apr. 22	
		138 By Stephenson. To appropriate for deficiency in the war fund of Iowa.	
		Introduced and referred.....	297
		Reported for passage.....	390
		Passed; ayes 38, nays 3.....	511
		Reported correctly enrolled.....	1238
		Signed by the president.....	1223

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Sent to governor.....	1226	147 By Greenell. To appropriate for Welker Given for personal injuries while an employee of the state.	
Signed by the governor Mar. 25.....	1420	Introduced and referred.....	310
139 By Balkema. Relating to the regulation of stock running at large.		Reported for ind. postponement.....	1096
Introduced and referred.....	298	Indefinitely postponed.....	1096
Reported for passage.....	392	148 By Kimball. Relating to the prevention of blindness from ophthalmia.	
Amendment adopted.....	605	Introduced and referred.....	310
Passed; ayes 32, nays 12.....	605	Reported for passage.....	972
140 By Whitmore. Extending scope of law as to municipal waterworks to electric light, heating and gas plants.		Amended.....	1060
Introduced and referred.....	298	Passed; ayes 33, nays 10.....	1061
Reported for ind. postponement.....	789	149 By Ratcliff. To provide that the county attorney shall be ex officio county coroner.	
Indefinitely postponed.....	789	Introduced and referred.....	310
141 By Whitmore. Relating to tax levy for fire fighting equipment.		Reported for postponement.....	375
Introduced and referred.....	298	Indefinitely postponed.....	375
Reported for amendment.....	1041	150 By White. Exempting certain mutual telephone companies from taxation.	
Amendment adopted.....	1197	Introduced and referred.....	311
Failed to pass; ayes 35, nays 18.....	1107	Reported for passage.....	926
142 By Foskett. Relating to appointment of waterworks trustees and providing for their duties.		Passed; ayes 35, nays 0.....	987
Introduced and referred.....	298	151 By Whitmore. Relating to city councils assuming the powers of a board of waterworks trustees.	
Reported for amendment.....	541	Introduced and referred.....	311
Amendment adopted.....	581	Reported for ind. postponement.....	789
Passed; ayes 46, nays 0.....	582	Indefinitely postponed.....	789
Concurs in amendment; ayes 49, nays 0.....	1044	152 By Whitmore. Revising law as to transportation of intoxicating liquors.	
Reported correctly enrolled.....	1215	Introduced and referred.....	311
Signed by the president.....	1223	Reported for amendment.....	1051
Sent to the governor.....	1228	Amendment adopted.....	1174-1175
Signed by the governor Mar. 25.....	1420	Passed; ayes 35, nays 0.....	1176
143 By Ball. Requiring the removal of the Allison monument to some other location by January 1, 1920.		153 By Holdoegel. Relating to fees and assessments of mutual hailstorm insurance associations.	
Introduced and referred.....	309	Introduced and referred.....	312
Reported for passage.....	814	Reported for ind. postponement.....	1731
Passed; ayes 35, nays 10.....	845	Indefinitely postponed.....	1731
144 By Foster. Increasing pay of members of the board of control and the secretary.		154 By Holdoegel. To provide training in teaching service for the Iowa State Teachers College.	
Introduced and referred.....	309	Introduced and referred.....	312
145 By LeCompte. Authorizing the officials to require cutting of certain weeds, earlier than July 15th.		Reported for passage.....	584
Introduced and referred.....	310	Amended.....	584
Reported for passage.....	927	Passed; ayes 28, nays 14.....	584
Passed; ayes 42, nays 0.....	987	Concurs in amendments; ayes 39, nays 0.....	1515
Reported correctly enrolled.....	1878	Reported correctly enrolled.....	1651
Signed by the president.....	1899	Signed by the president.....	1670
Sent to the governor.....	1916	Sent to the governor.....	1728
Signed by the governor Apr. 11.....	2043	Signed by the governor Apr. 9.....	1926
146 By Greenell. Giving a coroner the right to refuse to hold an inquest, and relating to proceedings by a coroner.		155 By Kimball. Relating to election of members of the board of supervisors.	
Introduced and referred.....	310	Introduced and referred.....	312
Reported for ind. postponement.....	1319	Reported for passage.....	711
Indefinitely postponed.....	1319		

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Amended .....	747	Amended .....	1662
Failed to pass; ayes 13, nays 21.	748	Passed; ayes 32, nays 7.	1663
Motion filed to reconsider.	757	Reported correctly enrolled.	2311
Withdrawn by the author.	1748	Signed by the president.	2319
		Sent to the governor.	2324
156 By Kingland. Giving attorneys at least one hour in which to argue a case in court.		Signed by the governor Apr. 25.	•
Introduced and referred.	321	163 By Anderson. To carry out the recommendations of the highway commission as to certain lakes.	
Reported for passage.	648	Introduced and referred.	322
Failed to pass; ayes 8, nays 23.	689	Reported for passage.	586
157 By Rainbow. Making law as to trapping fur-bearing animals apply to skunk and raccoon.		Passed; ayes 46, nays 4.	586
Introduced and referred.	321	Reported correctly enrolled.	823
Reported for amendment.	991	Signed by the president.	823
Amendment adopted.	1023	Sent to the governor.	850
Passed; ayes 38, nays 0.	1024	Signed by the governor Mar. 11.	929
158 By Schaffter. Relating to the salaries of chief executives of certain institutions.		164 By Whitmore. With relation to legal procedure in court and the duty of the court to question witnesses under certain circumstances.	
Introduced and referred.	321	Introduced and referred.	323
Reported for passage.	866	Reported for ind. postponement.	1257
Re-referred .....	866	Indefinitely postponed .....	1257
Amended .....	1023	165 By Horchem. Providing for commitment of certain persons to state institutions.	
Passed; ayes 33, nays 4.	1023	Introduced and referred.	323
Reported correctly enrolled.	2172	Reported for passage.	1143
Signed by the president.	2177	Passed; ayes 34, nays 3.	1233
Sent to the governor.	2178	166 By Holdoegel. Permitting women to vote at primary elections.	
Signed by the governor Apr. 25.		Introduced and referred.	323
159 By Frailey. Amending the law in regard to workmen's compensation.		Reported without recommendation .....	625
Introduced and referred.	321	Amended .....	859
Reported for passage.	868	Substituted for Joint Resolution No. 7 .....	886
Amended .....	1542	167 By Arney. Giving board of supervisors authority to provide dental attendance and service for the poor.	
Passed; ayes 48, nays 0.	1546	Introduced and referred.	323
Reported correctly enrolled.	1792	Reported for passage.	972
Signed by the president.	1789	Passed; ayes 36, nays 0.	1025
Sent to the governor.	1799	Reported correctly enrolled.	1878
Signed by the governor Apr. 11.	2043	Signed by the president.	1899
160 By Ratcliff. Raising salary of the superintendent of the institution of the feeble minded.		Sent to the governor.	1916
Introduced and referred.	322	Signed by the governor.	2043
Reported for passage.	598	168 By Arney. Providing for the establishment of dental clinics for school children.	
Re-referred .....	599	Introduced and referred.	323
Recommends amendment.	870	Reported for amendment.	519
Withdrawn by the author.	945	Amendment adopted .....	566
161 By Byington. Relative to fees of justices of the peace and constables.		Passed; ayes 45, nays 0.	566
Introduced and referred.	322	Refuses to concur in amendments; ayes 12, nays 25.	1045
Reported for passage.	520	Reported correctly enrolled.	1217
Amended .....	685	Signed by the president.	1223
Passed; ayes 26, nays 5.	686	Sent to the governor.	1226
Concurs in amendment; ayes 41, nays 1.	1552	Signed by the governor Mar. 27.	1420
Reported correctly enrolled.	1793	169 By Parker. Relating to the changing of boundary lines of contiguous school corporations.	
Signed by the president.	1789	Introduced and referred.	322
Sent to the governor.	1798	Reported for passage.	1340
Signed by the governor Apr. 11.	2043		
162 By Van Alstine. Relating to the filing of chattel mortgages.			
Introduced and referred.	322		
Reported for passage.	1340		

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Introduced and referred.....	341	state board of vocational education.	
170 By Haskell. To create a lien on automobiles or other motor vehicles left with garages.		Introduced and referred.....	343
Introduced and referred.....	345	Re-referred .....	580
Withdrawn by the author.....	1589	Withdrawn by the author.....	1480
171 By Buser. To legalize the notice of incorporation of the S. T. Sinnott Company.		178 By Van Alstine. Revision of the law as to office of dairy and food commissioner.	
Introduced and referred.....	342	Introduced and referred.....	353
Reported for passage.....	714	Reported for amendment.....	651
Passed; ayes 33, nays 0.....	751	Re-referred .....	651
Reported correctly enrolled.....	1217	Recommends amendment.....	951
Signed by the president.....	1233	Amendment adopted.....	1071
Sent to the governor.....	1226	Passed; ayes 43, nays 0.....	1077
Signed by the governor Mar. 27.....	1420	Reported correctly enrolled.....	1793
172 By Rainbow. Relating to duties of county recorder.		Signed by the president.....	1789
Introduced and referred.....	342	Sent to the governor.....	1798
Reported for ind. postponement.....	834	Signed by the governor.....	2043
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173 By Rainbow. Relating to record of meetings of board of supervisors.		Introduced and referred.....	354
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Amendment adopted .....	1234	Motion filed to reconsider.....	851
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Reported correctly enrolled.....	2105	180 By Horchem. Legalizing the incorporation of the Hillcrest Deaconess Home and Baby Fold at Dubuque.	
Signed by the president.....	2115	Introduced and referred.....	354
Sent to the governor.....	2130	Reported for substitution of H. F. 204 .....	716
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174 By Stoddard. Relating to the putting in of waterworks connections before permanent improvement of a street.		181 By Horchem. To place chiefs of police under civil service rules.	
Introduced and referred.....	342	Introduced and referred.....	354
Reported for passage.....	540	Reported for ind. postponement.....	540
Passed; ayes 44, nays 0.....	587	Indefinitely postponed .....	540
Reported correctly enrolled.....	1217	182 By Kingland. Revision of the law with regard to books of accounts as evidence in court.	
Signed by the president.....	1223	Introduced and referred.....	354
Sent to the governor.....	1228	Reported for ind. postponement.....	1503
Signed by the governor Mar. 27.....		Indefinitely postponed .....	1503
175 By Stoddard. To provide for the establishment of part-time schools and classes in aid of vocational for children.		183 By Foskett. Requiring quarterly publication and expenditures of school district expenditures.	
Introduced and referred.....	342	Introduced and referred.....	355
Reported for passage.....	652	Recommends S. F. 292 as a substitute .....	690
Passed; ayes 42, nays 0.....	790	Withdrawn by the author.....	1748
Reported correctly enrolled.....	1217	184 By Whitmore. Making law as to shipment of liquor to hospitals also apply to shipment for sacramental purposes.	
Signed by the president.....	1223	Introduced and referred.....	355
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Signed by the governor Mar. 27.....		Amendment adopted .....	1277
176 By Stoddard. Relating to vocational education and to appropriate money for state aid.		Indefinitely postponed .....	1278
Introduced and referred.....	343		
Withdrawn by the author.....	1966		
177 By Stoddard. Appropriating for the expenditures of the			

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185 By Kingland. To regulate the sale of cement and provide for the branding of packages according to quality.		192 By Arney. To appropriate for purchase of land for the state fair and for paving.	
Introduced and referred.....	372	Introduced and referred.....	387
186 By Buser. To create a board of engineer examiners and provide for registering engineers and land surveyors.		Re-referred .....	881
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Re-referred .....	475	Passed; ayes 35, nays 0.....	1026
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Concurs in amendments; ayes 35, nays 0 .....	2012	Signed by the governor Apr. 2.....	1540
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187 By Foskett. Authorizing cities to build memorial buildings and provide for taxation.		Recommends passage .....	967
Introduced and referred.....	373	Passed; ayes 29, nays 13.....	1027
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188 By Schaffter. Relating to sewer fund levies.		Signed by the president.....	1493
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Concurs in amendments; ayes 32, nays 1 .....	2011	Introduced and referred.....	387
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Signed by the president.....	2177	Indefinitely postponed .....	1657
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Signed by the governor Apr. 25.		Introduced and referred.....	388
189 By Fralley. Authorizing cities and towns to repair street paving, etc., and assess the cost to the property adjoining.		Reported for passage.....	912
Introduced and referred.....	387	Passed; ayes 35, nays 0.....	1017
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Indefinitely postponed .....	837	196 By Coburn. To appropriate for the completion of the water supply at the hospital at Cherokee.	
190 By Fralley. Relating to taxation and the tax levy limit in cities and towns.		Introduced and referred.....	338
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Reported correctly enrolled.....	2046	198 By Parker. To prevent the spread of hog cholera and other diseases.	
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191 By Fralley. Providing for pensions to district judges.		Introduced and referred.....	388
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		Recommends substitute .....	1260
		Withdrawn by the author.....	1450
		200 By Whitmore. Relating to sewers under pavements upon principal highways or streets.	

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201 By Whitmore. To provide for the examination of shot firsers and their employment by mine owners or operators.		Reported for passage.....	671
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202 By Adams. Appropriation for support of the educational institutions under the board of education.		Reported for passage.....	868
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203 By Adams. Appropriation for the support of the state educational institutions.		209 By Hale. Relating to jurisdiction in case of persons escaping from the penitentiary or reformatory.	
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Recommends passage.....	1881	Passed; ayes 42, nays 0.....	761
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Passed; ayes 33, nays 0 .....	1979	Withdrawn by the author.....	1104
Refuses to concur in am'd'ts; ayes 13, nays 22.....	2128	210 By Judiciary Committee No. 2. Creating commission of three to edit and codify the laws of Iowa.	
Conference committee named.....	2154	Introduced, passed on file.....	499
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Reported correctly enrolled.....	2347	Reported correctly enrolled.....	921
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204 By Newberry. Relating to release from surety bonds.		Signed by the governor Mar. 14.....	990
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Committee reports .....	975	Introduced and referred.....	514
Passed; ayes 34, nays 4.....	975	Reported for amendment.....	925
205 By Thompson. To regulate the manufacture and sale of renovated butter.		Withdrawn by the author.....	1620
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Reported for passage.....	651	Introduced and referred.....	515
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Sent to the governor.....	1483	Passed; ayes 32, nays 0.....	1448
Signed by the governor Apr. 2.....	1540	Reported correctly enrolled.....	2201
206 By Schaffter. Relative to senatorial and representative districts.		Signed by the president.....	2196
Introduced and referred.....	493	Sent to the governor.....	2239
207 By Schaffter. Fixing compensation for collateral inheritance tax.		Signed by the governor Apr. 25.....	
Introduced and referred.....	493	213 By Cessna. To issue patent to Frank Schultz for land in Poweshiek county.	
Reported for amendment.....	834	Introduced and referred.....	388
Amendment adopted .....	895	Withdrawn by the author.....	1358
Passed; ayes 44, nays 0.....	895	214 By Haskell. Authorizing the state board of health to draft a code regulating the business of plumbing and requiring cities to adopt same.	
208 By Haskell. To provide for hospital service for indigent		Introduced and referred.....	515
		Reported for amendment.....	837
		Amendment adopted .....	896



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Motion to reconsider	1306	Introduced and referred	534
Passed; ayes 29, nays 18	1309	Withdrawn by the author	623
Reported correctly enrolled	2202	224 By Le Comte. To legalize deed to Ben Gilkenson for land in Wayne county.	
Signed by the president	2196	Introduced and referred	534
Sent to the governor	2240	Recommended for passage	648
Signed by the governor Apr. 25.		Passed; ayes 41, nays 0	745
215 By Greenell. Providing for additional funds for the use of park commissions and the issue of bonds.		Concurs in amendments; ayes 27, nays 0	1355
Introduced and referred	515	Reported correctly enrolled	1475
Reported for passage	1681	Signed by the president	1480
216 By Le Comte. Limiting bank investment in real estate.		Sent to the governor	1483
Introduced and referred	516	Signed by the governor Apr. 2. 1540	
217 By Judiciary No. 2. To legalize a special election at Maquoketa.		225 By Committee on Cities and Towns. Revision of the law as to Sabbath observance and defining labor of necessity.	
Introduced and passed on file	516	Introduced, passed on file	535
Passed; ayes 40, nays 0	562	Amended	699
Concurs in amendments; ayes 42, nays 0	729	Passed; ayes 33 nays 13	703
Reported correctly enrolled	821	226 By Parker. Authorizing cities to purchase, maintain and operate street improvement and repair plants.	
Signed by the president	823	Introduced and referred	535
Sent to the governor	850	Reported for passage	1041
Signed by the governor Mar. 11. 929		Report adopted	1464
218 By Kimball. Relating to attendance at the school for the deaf.		Passed; ayes 21, nays 8	1465
Introduced and referred	523	227 By White. To establish a home for dependent, neglected, delinquent or destitute children.	
Reported for passage	671	Introduced and referred	535
Re-referred	671	Reported for passage	867
Withdrawn by the author	1250	Re-referred	867
219 By Kimball. Authorizing a corporation to assign its property, except as to railroads.		Reported for passage	968
Introduced and referred	524	Passed; ayes 43, nays 0	1079
Reported for ind. postponement	813	Motion filed to reconsider vote	1126
Indefinitely postponed	813	Reported correctly enrolled	1603
220 By Committee on Public Health. Revision of the law forbidding sale of cigarettes and providing for licensing dealers.		Signed by the president	1615
Introduced and passed on file	524	Sent to the governor	1623
Recommend substitution for S. F. 5	524	Signed by the governor Apr. 7. 1926	
Passed; ayes 34, nays 13	610	228 By Holdoegel. Authorizing the reduction in size of election boards when voting machines are used.	
221 By Nelson. Removing the limit of expenses of district judges.		Introduced and referred	535
Introduced and referred	532	Reported for passage	624
Recommends substitute for S. F. 221	597	Amended	695
Withdrawn by the author	1759	Passed; ayes 41, nays 0	696
222 By Greenell. Relating to the inspection and licensing of hotels.		Reported correctly enrolled	1039
Introduced and referred	532	Signed by the president	1035
Reported for ind. postponement	868	Sent to the governor	1048
Indefinitely postponed	868	Signed by the governor Mar. 20. 1165	
Re-referred	990	229 By Mitchell. Forbidding the shipment of rabbits out of the state.	
Withdrawn by the author	1395	Introduced and referred	535
		Reported for passage	991
		Amended	1136
		Passed; ayes 29, nays 14	1137
		230 By Kingland. Providing for a commission to report on the subject of reformed judiciary.	

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Introduced and referred.....	536	Reported correctly enrolled.....	2202
Reported for ind. postponement.....	715	Signed by the president.....	2196
Indefinitely postponed.....	715	Sent to the governor.....	2240
231 By Anderson. To appropriate for Beef Cattle Association, the Corn and Small Grain Association and for the dairy association.		Signed by the governor Apr. 25.	
Introduced and referred.....	536	239 By Thompson. Authorizing the state board of health to draft a code regulating the business of plumbing.	
Reported for passage.....	836	Introduced and referred.....	574
Re-referred.....	836	Withdrawn by author.....	1054
Recommends substitute.....	1608	240 By Ball. Requiring that condemned intoxicating liquors be turned over to the state board of control for use in hospitals.	
232 By Greenell. Requiring that witnesses to application for a marriage license must be personally known to the clerk.		Introduced and referred.....	574
Introduced and referred.....	555	Reported for amendment.....	711
Reported for amendment.....	787	Passed: ayes 29, nays 13.....	763
Amendment adopted.....	843	Reconsidered.....	1612
Passed; ayes 44, nays 0.....	843	Passed: ayes 43, nays 0.....	1612
233 By Foskett. Increasing the mileage of members of the board of education.		Concurs in amendments; ayes 33, nays 0.....	1887
Introduced, referred.....	555	Reported correctly enrolled.....	2045
Reported for passage.....	651	Signed by the president.....	2047
Re-referred.....	651	Sent to the governor.....	2048
Reported for passage.....	869	Signed by the governor Apr. 18.	
H. F. 265 substituted.....	946	241 By Mitchell. To fix standards for apples when packed and requiring the branding of packages.	
234 By Scott. Creating vendors' lien on farm implements.		Introduced and referred.....	575
Introduced and referred.....	555	Reported for passage.....	936
Reported for ind. postponement.....	1013	Passed: ayes 38, nays 3.....	991
Indefinitely postponed.....	1013	242 By Printing Committee. Relating to an agreement among publishers as to the county official newspapers.	
235 By Balkema. To authorize cities and towns to construct all street improvements, and to repair the same, out of a general fund.		Introduced and passed on file..	575
Introduced and referred.....	555	Referred to committee.....	740
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Indefinitely postponed.....	1535	243 By Holdoegel. Providing that Webster county shall have two representatives and Wapello county only one.	
236 By Anderson. Legalizing issue of school bonds on favorable vote and including the votes of women.		Introduced and referred.....	575
Introduced and referred.....	556	Reported for passage.....	751
Reported for passage.....	715	Passed: ayes 39, nays 0.....	779
Passed; ayes 43, nays 0.....	792	244 By Whitmore. Providing a separate ballot for the non-partisan judiciary tickets on primary elections.	
Requests return of.....	1397	Introduced and referred.....	575
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237 By Rainbow. Requiring scenery, drop curtains, etc., in theaters to be of fireproof material.		Withdrawn.....	948
Introduced and referred.....	556	245 By Newberry. Remodeling the county board of education and selection thereof by the county educational convention.	
Reported for ind. postponement.....	1094	Introduced and referred.....	575
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238 By Brookhart. Relating to time for filing a mechanic's lien.		H. F. No. 302 substituted.....	746
Introduced and referred.....	574	Withdrawn.....	773
Reported for passage.....	1255	246 By Proudfoot. Providing a procedure in case of con-	
Amended.....	1352	Introduced and referred.....	575
Failed to pass; ayes 22, nays 18, 1353		Reported for amendment.....	676
Reconsidered and passed; ayes 43 nays 0.		H. F. No. 302 substituted.....	746
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tested elections with notice to interested parties.		the dairy and food department and change in salaries.	
Introduced and referred.....	576	Introduced and referred.....	620
Reported for amendment.....	1337	Reported for passage.....	1162
Amendment adopted.....	1467	Re-referred.....	1162
Passed; ayes 40, nays 0.....	1468	Re-referred.....	1214
247 By Proudfoot. To require that bills proposing to amend existing statutes shall contain in full the proposed new statute.		Reported for amendment.....	1732
Introduced and referred.....	576	Withdrawn by the author.....	2025
Re-referred.....	1911	255 By Byington. -Amending the law in regard to the manufacture and transmission of electric light and power.	
Recommends ind. postponement.....	1385	Introduced and referred.....	620
Indefinitely postponed.....	1385	Reported for passage.....	1342
248 By Parker. To authorize the mining of coal under state fair ground property.		Passed; ayes 34, nays 0.....	1450
Introduced and referred.....	576	Reported correctly enrolled.....	2045
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Amended.....	948	Sent to the governor.....	2048
Passed; ayes 36, nays 3.....	948	Signed by the governor Apr. 18.	
Reported correctly enrolled.....	1668	256 By Wilson. Providing for a jury of thirteen and a verdict by twelve.	
Signed by the president.....	1670	Introduced and referred.....	620
Sent to the governor.....	1727	Reported for ind. postponement.....	1504
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249 By Byington. Relating to guardianship of property, and requiring publicity of an appointment as guardian.		257 By Rainbow. Relating to the authority of a court to remove a guardianship and appointment of new guardians.	
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250 By Balkema. Relating to licenses issued for bakeries.		258 By Pitt. Legalizing a school election at Missouri Valey and issue of bonds.	
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Reported for passage.....	911	Reported for passage.....	649
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251 By Parker. Revision of the law as to the appointment of a clerk of the grand jury.		Concurs in amendments; ayes 38, nays 12.....	860
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252 By Parker. Authority with the board of supervisors to establish highway districts for changing or improving roads.		Sent to the governor.....	957
Introduced and referred.....	594	Signed by the governor Mar. 14.....	990
Reported for ind. postponement.....	1092	259 By Brookhart. Providing for a vote on purchase of land for a county home and tax to pay for the same.	
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253 By Committee on appropriations. Increasing the amount of expenses of a district judge.		Reported for ind. postponement.....	1320
Introduced, passed on file.....	594	Indefinitely postponed.....	1320
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Reported correctly enrolled.....	1039	Action deferred.....	1667
Signed by the president.....	1035	Passed; ayes 41, nays 1.....	1739
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254 By Evans. Revision of the appropriation schedule for		H. F. 295 substituted for.....	687
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262 By Committee on Banks and		269 By Parker. Relating to the	
Banking. Forbidding a bank		paid-up capital of state	
to obtain money or credit		banks and trust companies.	
except upon a showing on		Introduced and referred.....	643
the books of the bank.		Reported for ind. postponement.	928
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Failed to pass; ayes 13, nays 23.	742	270 By Parker. Authorizing	
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263 By Committee on Banks and		tain lighting plants and	
Banking. To prohibit the		other public utilities.	
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etc., for organizing a bank		Reported for ind. postponement.	1194
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Amended .....	1019	Introduced and referred.....	643
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264 By Committee on Banks and		Failed to pass; ayes 19, nays 13.	1110
Banking. To authorize banks		Motion filed to reconsider.....	1567
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Minority report substituted....	1510	Sent to the governor.....	1915
Amended .....	1510	Signed by the governor.....	2043
Passed; ayes 33, nays 13.....	1510	273 By Parker. Giving cities the	
Concurs in amendments; ayes 27,		right to improve and re-	
nays 0 .....	2260	pair streets and charge the	
Reported correctly enrolled....	2309	cost to the abutting	
Signed by the president.....	2319	property.	
Sent to the governor.....	2320	Introduced and referred.....	644
Signed by the governor Apr. 23.		Withdrawn by the author.....	1589
266 By Committee on Banks and		274 By Parker. Relating to the	
Banking. Relating to re-		length of time for which	
serves of state banks, the		bonds may be issued and	
same as for savings banks.		payments may be made.	
Introduced and passed on file.... 623		Introduced and referred.....	644
H. F. 296 substituted for..... 890		Reported for passage.....	715
267 By Parker. Relating to the		Amendment adopted.....	775
selection of jurors by a jury		Passed; ayes 40, nays 0.....	775
commissioner.		Reported correctly enrolled....	2045
Introduced and referred.....	642	Signed by the president.....	2047
Reported for amendment.....	787	Sent to the governor.....	2048
Amendment adopted .....	816	Signed by the governor Apr. 18.	
Passed; ayes 42, nays 2.....	816	275 By Evans. Repealing sec-	
Reported correctly enrolled....	1794	tions of the code, relating to	
Signed by the president.....	1789		
Sent to the governor.....	1799		
Signed by the governor.....	2043		

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the shipment of liquors for religious purposes.

Introduced and referred..... 644  
Reported for ind. postponement. 912  
Report rejected ..... 912  
Passed; ayes 28, nays 11..... 989  
Reported correctly enrolled.....1794  
Signed by the president.....1789  
Sent to the governor.....1799  
Signed by the governor Apr. 11.2043

276 By Evans. Revision of the law in regard to the weights and measures department.

Introduced and referred..... 644  
Reported for amendment..... 911  
Amendment adopted ..... 996  
Passed; ayes 35, nays 0 ..... 996  
Reported correctly enrolled.....1215  
Signed by the president.....1223  
Sent to the governor.....1228  
Signed by the governor Mar. 27.

277 By Holdoegel. To establish a psychopathic hospital at Iowa City and to make an appropriation therefor.

Introduced and referred..... 644  
Referred .....1003  
Reported for passage.....1003  
Recommends passage .....1160  
Amended .....1389  
Passed; ayes 43, nays 0.....1389  
Reported correctly enrolled.....1914  
Signed by the president.....1940  
Sent to the governor.....1941  
Signed by the governor Apr. 15.

278 By Meredith. Making an appropriation in aid of county and other poultry associations, and providing for annual payments.

Introduced and referred..... 645  
Reported for passage..... 869  
Passed; ayes 43, nays 0..... 949  
Concurs in amendments; ayes 31, nays 0 .....1982  
Reported correctly enrolled.....2104  
Signed by the president.....2115  
Sent to the governor.....2129  
Signed by the governor Apr. 22.

279 By Kimball. Revision of the law in regard to election of judges with nominations by petition.

Introduced and referred..... 645  
Reports without recommendation ..... 812  
Withdrawn ..... 947

280 By Holdoegel. To provide regulations for the issuance of sale of stock by corporations and to regulate promotion fees.

Introduced and referred..... 645  
Reported for ind. postponement.1610  
Indefinitely postponed .....1610

281 By Evans. Defining the crime of criminal syndicalism and prescribing punishment.

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Introduced and referred..... 665  
Reported for passage..... 787  
Amended ..... 818  
Passed; ayes 45, nays 1..... 818  
Reported correctly enrolled....2202  
Signed by the president.  
Sent to the governor.....2239  
Signed by the governor Apr. 25.

282 By Evans and Smith. For standardizing rural schools and granting state aid therefor.

Introduced and referred..... 665  
Reported for amendment.....1564  
Re-referred .....1566  
Recommends passage .....1952  
Amendment adopted .....1964  
Passed; ayes 36, nays 2.....1965  
Concurs in amendments; ayes 35, nays 0 .....2320  
Reported correctly enrolled....2325  
Signed by the president.....2338  
Sent to the governor.....2339  
Signed by the governor Apr. 25.

283 By Mitchell. To establish a state board of embalming and undertaking.

Introduced and referred..... 666  
Reported for passage..... 972  
Amended .....1098  
Failed to pass; ayes 15, nays 25.1099

284 By Committee on Military Affairs. For additional appropriations for the armory at Iowa City, and at Ames.

Introduced and referred..... 666  
Reported for ind. postponement.2213  
Indefinitely postponed .....2213

285 By Foskett. Increasing the limit of the tax levy for bridge purposes.

Introduced and referred..... 666  
Reported for passage.....1093  
Amended .....1202  
Passed; ayes 30, nays 5.....1202  
Reported correctly enrolled....2292  
Signed by the president.....2319  
Sent to the governor.....2321  
Signed by the governor Apr 25.

286 By Kimball. Relating to the assessment of cost of street improvement to adjacent property.

Introduced and referred..... 667  
Reported for ind. postponement.1536  
Report rejected .....1536  
Re-referred .....1556  
Referred to sifting committee.2331

287 By Kimball. Relating to the salary of the superintendants of the school for the deaf.

Introduced and referred..... 667  
Reported for passage.....1002  
Passed; ayes 33, nays 1.....1031  
Reported correctly enrolled....1474  
Signed by the president.....1480  
Sent to the governor.....1482  
Signed by the governor Apr. 2..1540

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288 By Taylor. Relating to the manner of empanelling a grand jury.		295 By Smith. To establish three additional normal schools.	
Introduced and referred.....	667	Introduced and referred.....	708
Reported for passage.....	880	Reported for ind. postponement.....	1213
Failed to pass; ayes 10, nays 30.	976	Reported rejected.....	1213
Motion to reconsider called up.....	1486	Recommends amendment.....	2220
Passed; ayes 39, nays 0.....	1487	Amendment adopted.....	2243
289 By Schaffter. Providing for the use of the English language only in all the schools of the state to the eighth grade.		Passed; ayes 30, nays 6.....	2244
Introduced and referred.....	667	296 By Smith. Amendment of the law relating to the consolidation of school districts.	
Withdrawn by the author.....	1620	Introduced and referred.....	708
290 By Whitmore. Providing for safety equipment of street car companies.		Reported for amendment.....	1051
Introduced and referred.....	667	Amendment adopted.....	1132
Reported for ind. postponement.....	1341	Passed; ayes 45, nays 0.....	1135
Indefinitely postponed.....	1341	Amendment adopted.....	1378
291 By Newberry. Establishing a medical department for the state library and appropriating therefor.		Concurs in amendments; ayes 42, nays 0.....	1485
Introduced and referred.....	668	Reported correctly enrolled.....	1650
Reported for passage.....	1214	Signed by the president.....	1643
Re-referred.....	1214	Signed by the governor.....	1926
Reported for passage.....	1883	297 By Haskell. To increase the compensation and mileage of members of the board of supervisors.	
Failed to pass; ayes 18, nays 18.....	1959	Introduced and referred.....	708
Motion filed to reconsider.....	1990	Reported for amendment.....	835
Passed; ayes 28, nays 8.....	2060	Amendment adopted.....	898
Reported correctly enrolled.....	2310	Passed; ayes 44, nays 1.....	898
Signed by the president.....	2319	Reported correctly enrolled.....	1360
Sent to the governor.....	2320	Signed by the president.....	1364
Signed by the governor Apr. 25.		Sent to the governor.....	1420
292 By Committee on Schools. Relating to the publication of expenditures for school purposes.		Signed by the governor Mar. 28.	
Introduced and passed on file.....	690	298 By Horchem. To provide for appointment of the superintendent of public instruction by the state board of education.	
Passed; ayes 36, nays 4.....	766	Introduced and referred.....	709
293 By Parker. Relating to examination and certification of persons engaged in any form of drugless healing.		Referred.....	709
Introduced and referred.....	690	Withdrawn.....	1271
Reported for ind. postponement.....	925	299 By Stoddard. Revision of the law giving a landlord a lien upon the crops and personal property of a tenant.	
Indefinitely postponed.....	925	Introduced and referred.....	709
294 By Arney. Relating to salary of the commandant of the soldier's home.		Withdrawn and re-referred.....	772
Introduced and referred.....	691	Re-referred.....	1192
Reported for passage.....	967	Reported for ind. postponement.....	1239
Failed to pass; ayes 22, nays 9.....	1028	Indefinitely postponed.....	1239
Motion to reconsider called up.....	1487	Withdrawn.....	1342
Passed; ayes 34, nays 5.....	1487	300 By Fellows. Relating to the minimum salaries for teachers.	
Refuses to concur in amendments; ayes 10, nays 20.....	2165	Introduced and referred.....	709
President appoints conference committee.....	2167	Reported for amendment.....	1537
Recommends amendment.....	2214	Amendment adopted.....	1641
Adopts amendments.....	2214	Passed; ayes 37, nays 0.....	1642
Recommends amendment.....	2214	Reported correctly enrolled.....	2292
Amendments adopted.....	2214	Signed by the president.....	2319
Reported correctly enrolled.....	2310	Sent to the governor.....	2321
Signed by the president.....	2319	Signed by the governor Apr. 25.	
Sent to the governor.....	2320	301 By Whitmore. Defining the right of way of motor vehicles when meeting at a crossroad.	
Signed by the governor Apr. 22.		Introduced and referred.....	709
		Reported for passage.....	1163

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Amended .....	1299	Introduced and referred .....	727
Passed; ayes 35, nays 12.....	1300	Reported for amendment.....	869
302 By Rule. Authorizing the adjournment of the district court by telephone message.		Amendment adopted .....	900
Introduced and referred.....	710	Passed; ayes 48, nays 0.....	900
Reported for passage.....	814	Re-referred .....	1949
Passed; ayes 42, nays 0.....	846	Refuses to concur in amend- ments; ayes 40, nays 0.....	2327
Reported correctly enrolled.....	1651	310 By Ratcliff. To appropriate to indemnify E. L. Logan and others for loss of cows killed by state authority.	
Signed by the president.....	1670	Introduced and referred.....	728
Sent to the governor.....	1728	Reported for ind. postponement.....	1097
Signed by the governor Apr. 9.....	1926	Indefinitely postponed .....	1097
303 By Rule. Relating to the duration of a corporation and fees for incorporation.		311 By Van Alstine. To appropri- ate for J. M. Thelen for loss of horse.	
Introduced and referred.....	710	Introduced and referred.....	728
Reported for passage.....	1198	Reported for ind. postponement.....	1097
Passed; ayes 42, nays 1.....	1342	Indefinitely postponed .....	1097
304 By Rainbow. To authorize the board of supervisors to order the destruction of cer- tain papers and records after five years.		312 By Anderson. Relating to salaries and expenses of state board of agriculture.	
Introduced and referred.....	710	Introduced and referred.....	723
Reported for amendment.....	1141	Reported for amendment.....	2207
Amendment adopted .....	1235	Amendment adopted .....	2219
Passed; ayes 28, nays 11.....	1236	Passed; ayes 30, nays 6.....	2220
Reported correctly enrolled.....	2203	Reported correctly enrolled.....	2311
Signed by the president.....	2196	Signed by the president.....	2319
Sent to the governor.....	2240	Sent to the governor.....	2323
Signed by the governor Apr. 25.		313 By Greenell. To create a teachers' welfare fund for payments on retirement.	
305 By Parker. Relating to the appointment and compen- sation of deputy county officers.		Introduced and referred.....	732
Introduced and referred.....	710	Reported for ind. postponement.....	1335
Withdrawn by the author.....	2302	Re-referred .....	1335
306 By Thompson. Providing for an incontestable title to real estate under certain con- ditions.		Withdrawn by the author.....	2199
Introduced and referred.....	710	314 By Horchem. To provide for purchase or lease of land for summer schools.	
Reported for passage.....	1012	Introduced and referred.....	732
307 By Balkema. To provide for eradication of tubercu- losis in cattle.		Withdrawn by the author.....	1566
Introduced and referred.....	727	315 By Horchem. To encourage training work and recreation for school children in cities.	
308 By Whitmore. Relating to the appointment and compen- sation of deputy county officers.		Introduced and referred.....	733
Introduced and referred.....	727	Reported for passage .....	951
Reported for amendment.....	924	Recommends substitute .....	1526
Amendment adopted .....	1105	Withdrawn by the author.....	1660
Re-referred .....	1107	316 By Kimberly and Horchem. Relating to the acquisition of schoolhouse sites.	
Recommends amendment .....	1326	Introduced and referred.....	733
Amendment adopted.....	1469	Reported for amendment.....	959
Action deferred .....	1469	Amendment adopted .....	995
Concurs in amendments; ayes 31, nays 4 .....	2233	Passed; ayes 37, nays 0.....	995
Reported correctly enrolled.....	2310	Concurs in amendments; ayes 34, nays 0 .....	1435
Signed by the president.....	2319	Reported correctly enrolled.....	1490
Sent to the governor.....	2323	Signed by the president.....	1493
Signed by the governor Apr. 22.		Sent to the governor.....	1492
309 By Ratcliff. To appropriate for the invalided soldiers of the 165th infantry.		Signed by the governor Apr. 2.....	1540
		317 By Adams. Authorizing im- provement of a state high-	

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way along the shore of Spirit lake.		Sent to the governor.....	2322
Introduced and referred.....	733	Signed by the governor Apr. 24.	
Reported for passage.....	1169	325 By Frailey. Providing that insurance funds may be invested in companies owning real estate in use by the company.	
Passed; ayes 45, nays 0.....	1306	Introduced and referred.....	786
Reported correctly enrolled.....	2046	Reported for ind. postponement.....	1730
Signed by the president.....	2047	Indefinitely postponed.....	1730
Sent to the governor.....	2048	326 By Rule. Relating to arraignments and pleas entered during vacation time in court.	
Signed by the governor Apr. 18.		Introduced and referred.....	786
318 By Rainbow. Increasing the exemption from taxation of property of soldiers.		Reported for passage.....	1257
Introduced and referred.....	733	Passed; ayes 43, nays 0.....	1354
Reported for ind. postponement.....	1191	Reported correctly enrolled.....	1878
Indefinitely postponed.....	1191	Signed by the president.....	1899
319 By Thompson. To punish for fraudulent sale or conveyance of land.		Sent to the governor.....	1916
Introduced and referred.....	733	Signed by the governor.....	2043
Reported for ind. postponement.....	813	327 By Rule. Authorizing admission to law examination of persons who have taught in a law school in Iowa for a year.	
Indefinitely postponed.....	813	Introduced and referred.....	787
320 By Thompson. Relating to the powers conferred upon trust companies and banks.		Reported for passage.....	970
Introduced and referred.....	734	Passed; ayes 35, nays 0.....	1028
Reported for passage.....	1013	328 By Schaffter. Providing for keeping a record of drainage warrants and notifying holders thereof when funds are available to pay same.	
Re-referred.....	1214	Introduced and referred.....	809
321 By Pitt. Exempting labor unions from the operation of the law as to combines and trusts.		Reported for passage.....	910
Introduced and referred.....	734	Passed; ayes 36, nays 0.....	997
Reported for amendment.....	1049	Withdrawn by the author.....	1505
Amendment adopted.....	1297	329 By Balkema. To provide for licensing dealers in eggs and regulation of business.	
Passed; ayes 48, nays 0.....	1297	Introduced and referred.....	828
Concurs in amendments; ayes 36, nays 1.....	1589	Reported for amendment.....	1092
Reported correctly enrolled.....	1793	Amendment adopted.....	1203
Signed by the president.....	1789	Passed; ayes 36, nays 0.....	1203
Sent to the governor.....	1797	Reported correctly enrolled.....	2334
Signed by the governor Apr. 11.	2043	Signed by the president.....	2338
322 By Parker. Relating to improvements of streets and highways by joint action of counties, cities and towns.		Sent to the governor.....	2339
Introduced and referred.....	734	Signed by the governor Apr. 22	
Reported for passage.....	1093	330 By Thompson. Legalizing certain warrants of the city of Burlington.	
Passed; ayes 28, nays 7.....	1187	Introduced and referred.....	828
Concurs in amendments; ayes 28, nays 0.....	1956	Reported for passage.....	1012
Reported correctly enrolled.....	2105	Passed; ayes 39, nays 0.....	1113
Signed by the president.....	2115	Reported correctly enrolled.....	1474
Sent to the governor.....	2130	Signed by the president.....	1480
Signed by the governor Apr. 22.		Sent to the governor.....	1482
323 By Horchem. To legalize transfer of certain funds by the city of Dubuque.		Signed by the governor Apr. 2.	1540
Introduced and referred.....	770	331 By Adams. To provide for penalty for fraud upon hotel keepers and hospitals.	
Withdrawn by the author.....	1271	Introduced and referred.....	828
324 By Frailey. Relating to the taxation of moneys and credits of domestic insurance associations.		Reported for passage.....	1050
Introduced and referred.....	786	Passed; ayes 36, nays 0.....	1224
Reported for passage.....	1086	332 By Horchem. Providing for the erection of detention	
Passed; ayes 43, nays 1.....	1296	Introduced and referred.....	786
Reported correctly enrolled.....	2293	Reported for ind. postponement.....	1191
Signed by the president.....	2319	Indefinitely postponed.....	1191



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hospitals for contagious diseases.		Reported correctly enrolled.....	1215
Introduced and referred.....	828	Signed by the president.....	1223
Reported for passage.....	1428	Sent to the governor.....	1229
Passed: ayes 37, nays 0.....	1474	Signed by the governor Mar. 27, 1920	
Reported correctly enrolled.....	1967	341 By Buser. Relating to the cutting of weeds along highways and giving the board of supervisors authority.	
Signed by the president.....	1985	Introduced and referred.....	847
Sent to the governor.....	1985	Reported for passage.....	910
Signed by the governor Apr. 16		Passed: ayes 40, nays 0.....	997
333 By Parker. Giving to jurors in municipal court same pay as jurors in district court.		Reported correctly enrolled.....	1650
Introduced and referred.....	831	Signed by the president.....	1670
334 By Parker. Revision of the law as to compensation of judges and other officers in the municipal courts.		Sent to the governor.....	1727
Introduced and referred.....	832	Signed by the governor.....	1926
Reported for passage.....	1681	342 By Schaffter. Relating to time when actions may be brought to set aside conveyances of land.	
335 By Ball. Relating to distribution of an estate.		Introduced and referred.....	847
Introduced and referred.....	832	Reported for passage.....	971
Reported for ind. postponement.....	1050	Passed: ayes 40, nays 0.....	1029
Indefinitely postponed.....	1051	343 By Greenell and Kimberly. Relating to the registration of motor vehicles by local authorities.	
336 By Kimball. Relative to terms of court at Avoca.		Introduced and referred.....	847
Introduced and referred.....	832	Reported for passage.....	1193
Reported for passage.....	1686	344 By Fralley. Regulations with regard to the recording of instruments of adoption and indexing the same.	
337 By Foskett. Repeal of the law which requires three chairs for homeopathy at the state medical school.		Introduced and referred.....	853
Introduced and referred.....	832	Reported for amendment.....	970
Reported for ind. postponement.....	1003	Amendment adopted.....	970
Indefinitely postponed.....	1003	Passed: ayes 41, nays 0.....	1166
338 By Foskett. Giving superior courts concurrent jurisdiction with other courts in matters relating to juveniles.		345 By Mitchell. Relating to the care of fruit tree reservations and the spraying of trees.	
Introduced and referred.....	833	Introduced and referred.....	853
Reported for ind. postponement.....	889	Reported for passage.....	1132
Indefinitely postponed.....	889	Amended.....	1236
339 By Byington. Directing the state board of education to maintain a department of materia medica and therapeutics for homeopaths.		Passed: ayes 33, nays 0.....	1236
Introduced and referred.....	833	Reported correctly enrolled.....	1878
Reported for passage.....	1003	Signed by the president.....	1899
Passed: ayes 35, nays 0.....	1031	Sent to the governor.....	1915
Report correctly enrolled.....	1360	Signed by the governor.....	2043
Signed by the president.....	1364	346 By Brookhart. Relating to the investment of funds of fraternal beneficiary societies in the bonds of federal farm loan banks.	
Sent to the governor.....	1430	Introduced and referred.....	853
Signed by the governor, Mar. 28		Re-referred.....	1678
340 By Committee on Cities and Towns. Relating to sewers under and pavement upon principal streets or highways leading into and out of cities.		347 By Brookhart. Authorizing investment of fire insurance company funds in federal farm loan bonds.	
Introduced, passed on file.....	838	Introduced and referred.....	853
Passed: ayes 42, nays 0.....	900	Re-referred.....	1678
Received back.....	1185	348 By Brookhart. Relating to the investment of the funds of savings banks in federal farm loan bonds.	

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Introduced and referred.....	854	357 By Price. To appropriate to relieve the school situation in mining camps.	
Reported for ind. postponement.....	1724		
Indefinitely postponed .....	1724	Introduced and referred.....	856
349 By Brookhart. Authorizing the investment of the funds of life insurance companies in federal farm loan bonds.		Reported for passage.....	1539
Introduced and referred.....	854	Re-referred .....	1601
Re-referred .....	1678	Recommends passage .....	1686
350 By Brookhart. Authorizing the investment of funds by trustees, etc., in federal farm loan bonds.		Re-referred .....	1783
Introduced and referred.....	854	Recommends amendment .....	1952
Reported for ind. postponement.....	1256	Amendment rejected .....	1981
Indefinitely postponed .....	1256	Passed; ayes 29, nays 10.....	1982
351 By Newberry. Relating to the amount of a surety bond to be furnished by an administrator or executor.		Reported correctly enrolled.....	2293
Introduced and referred.....	854	Signed by the president.....	2319
Reported for passage.....	1912	Sent to the governor.....	2322
Passed; ayes 35, nays 1.....	1108	Signed by the governor Apr. 27	
Concurs in amendments; ayes 31, nays 0 .....	1420	358 By Price. Repeal of the law extending the closed season for quail.	
Reported correctly enrolled.....	1490	Introduced and referred.....	856
Signed by the president.....	1493	Reported for postponement.....	1584
Sent to the governor.....	1492	Indefinitely postponed .....	1585
Signed by the governor Apr. 2.....	1540	359 By Price. Repeal of the law relating to the closed season for prairie chicken.	
352 By Horchem. To provide for inspection of factories and industries by the bureau of labor.		Introduced and referred.....	856
Introduced and referred.....	854	Reported for passage.....	1584
Reported for amendment.....	1683	Withdrawn by the author.....	1589
353 By Reed. To prohibit the pollution of Iowa streams and defining such pollution as a nuisance.		360 By Troutfoot. Increasing the per diem allowance for the members of the examining committee of nurses.	
Introduced and referred.....	855	Introduced and referred.....	856
Reported for ind. postponement.....	1725	Reported for amendment.....	1493
Indefinitely postponed .....	1725	Withdrawn by the author.....	1589
354 By Schaffter. Requiring township clerks to deposit in a bank all public funds and to collect interest thereon.		361 By Horchem. Regulating the sale of shoes and requiring the branding of shoes to indicate quality.	
Introduced and referred.....	855	Introduced and referred.....	857
Reported for passage.....	1318	Reported for amendment.....	927
H. P. 496 substituted for.....	1659	Re-referred .....	1017
Withdrawn by the author.....	1660	Withdrawn by the author.....	1884
355 By Stephenson. Creating a board of examiners to license automobile mechanics and repair men.		362 By Horchem. Authorizing the payment of clerks heretofore employed by jury commissioners.	
Introduced and referred.....	855	Introduced and referred.....	857
Back without recommendation.....	1649	Reported for ind. postponement.....	1319
356 By Foskett. To dissolve the State Historical Society and to transfer its property to the State University.		Indefinitely postponed .....	1319
Introduced and referred.....	855	363 By Ratcliff. Relating to the appointment of agents to demand of the executives of other states fugitives from justice.	
Reported for ind. postponement.....	1656	Introduced and referred.....	857
Indefinitely postponed .....	1656	Reported for passage.....	1050
		Passed; ayes 41, nays 0.....	1114
		Reported correctly enrolled.....	1490
		Signed by the president.....	1493
		Sent to the governor.....	1493
		Signed by the governor Apr. 2.....	1540
		364 By Ratcliff. To establish a state normal school at Red Oak.	

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Introduced and referred.....	857	374 By Arney. Relating to notification to delinquent taxpayers by the county treasurer.	
Reported for ind. postponement.....	1213	Introduced and referred.....	877
Indefinitely postponed.....	1214	Reported for ind. postponement.....	1731
365 By Public Utilities Committee. To make the board of railroad commissioners a public utilities commission.		Indefinitely postponed.....	1731
Introduced and passed on file....	857	375 By Arney. Relating to delinquent tax collectors and their employment and compensation.	
Amended.....	1144	Introduced and referred.....	877
Withdrawn.....	1147	376 By Arney. Relating to the apportionment and distribution of tax penalties and interest.	
366 By Kingland. Relating to usury and making usury a misdemeanor.		Introduced and referred.....	878
Introduced and referred.....	875	Reported for passage.....	1386
Reported for ind. postponement.....	969	Withdrawn by the author.....	1733
Indefinitely postponed.....	969	377 By Proudfoot. Regulating the practice of nursing and fixing the fees for examination.	
Motion to reconsider.....	990	Introduced and referred.....	878
Motion laid on table.....	2156	Reported for amendment.....	1387
367 By Anderson. Regulating the practice of osteopathy or other systems of treatment.		Withdrawn by the author.....	1620
Introduced and referred.....	876	378 By Whitmore. Relating to compensation of board of mine examiners.	
Reported for ind. postponement.....	973	Introduced and referred.....	878
Indefinitely postponed.....	973	Reported for amendment.....	1387
368 By Newberry. To regulate companies engaged in making small loans and provide for examination.		Withdrawn by the author.....	1620
Introduced and referred.....	876	379 By Haskell. Relating to donation of land by county seats for county purposes.	
Reported for passage.....	1119	Introduced and referred.....	878
H. F. 398 substituted for.....	1296	Reported for passage.....	1095
Withdrawn.....	1315	H. F. 516 substituted.....	1270
369 By Anderson. Authorizing the governor to issue patent on land in Greene county.		Withdrawn.....	1271
Introduced and referred.....	876	380 By Balkema. Relating to persons holding permits and indicating to whom wines and intoxicating liquors may be sold.	
Withdrawn by the author.....	1748	Introduced and referred.....	902
370 By Fralley. Relating to the drawing of warrants by the auditors.		381 By Wilson. Limiting the time of exemption of taxes for soldiers to the period of ownership of the property.	
Introduced and referred.....	876	Introduced and referred.....	902
Reported for passage.....	1142	381 By Wilson. Limiting the time of exemption of taxes for soldiers to the period of ownership of the property.	
Passed; ayes 35, nays 0.....	1237	Introduced and referred.....	902
371 By Rule. To close the hospital for inebriates at Knoxville.		Reported for amendment.....	1119
Introduced and referred.....	877	Amendment adopted.....	1230
Reported for ind. postponement.....	1288	Passed; ayes 30, nays 0.....	1231
Report rejected.....	1288	Concurs in amendments; ayes 31, nays 0.....	1594
Amended.....	1804	Reported correctly enrolled.....	1793
Passed; ayes 30, nays 12.....	1805	Signed by the president.....	1789
Reported correctly enrolled.....	2310	Sent to the governor.....	1796
Signed by the president.....	2319	Signed by the governor Apr. 11.....	2043
Sent to the governor.....	2323	382 By Foster. Increasing the pay of the reporter of the supreme court and authorizing a deputy.	
Signed by the governor Apr. 24.....		Introduced and referred.....	902
372 By Brookhart. Relating to the time when people may fish with line and hook.			
Introduced and referred.....	877		
Reported for ind. postponement.....	1585		
Indefinitely postponed.....	1585		
373 By Schaffter. Relating to assistants to the attorney general.			
Introduced and referred.....	877		
Re-referred.....	1002		

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383 By Evans. Authorizing an increase in the salary of the county superintendent of schools.		Passed; ayes 37, nays 2.....	1200
Introduced and referred .....	902	Reported correctly enrolled.....	2172
384 By Foster. To legalize the sale of bonds at Adel.		Signed by the president.....	2177
Introduced and referred.....	902	Sent to the governor.....	2178
Reported for passage.....	1340	Signed by the governor Apr. 25	
Withdrawn .....	1401	391 By Horchem. Relating to equalization of taxes by township trustees.	
385 By Stoddard. Relating to motor plates for dealers in motor vehicles.		Introduced and referred.....	923
Introduced and referred.....	903	Withdrawn by the author.....	1884
Re-referred .....	1649	392 By Ratcliff. Including the institution for feeble-minded children under the law forbidding bringing to state institutions dangerous drugs or weapons.	
Re-referred .....	1675	Introduced and referred.....	923
386 By Rule. Providing that pensions for survivors of the Northern Iowa Brigade shall not be paid where the persons receive other pensions.		Reported for passage.....	1012
Introduced and referred .....	906	Passed; ayes 39, nays 0.....	1109
Reported for passage.....	1632	Reported correctly enrolled.....	1792
387 By Frailey. Authorizing the insurance of checks, drafts, etc., against loss by alteration.		Signed by the president.....	1789
Introduced and referred.....	906	Sent to governor.....	1795
Reported for passage.....	1632	Signed by the governor.....	2043
388 By Taylor. Relating to the amount given to widowed mothers for the care of a child.		393 By Ratcliff. Relative to the annual statement of life insurance companies.	
Introduced and referred.....	906	Introduced and referred.....	923
Report adopted .....	1469	Reported for passage.....	1161
Passed; ayes 34, nays 10.....	1470	Passed; ayes 32, Nays 0.....	1242
Reported correctly enrolled.....	2309	394 By Ratcliff. To provide for the detention of inmates of the institution for feeble-minded and their return in case they leave.	
Signed by the president.....	2319	Introduced and referred.....	923
Sent to the governor.....	2320	Reported for passage.....	1143
Signed by the governor Apr. 24		Passed; ayes 35, nays 0.....	1238
388 By Taylor. Relating to the amount given to widowed mothers for the care of a child.		Reported correctly enrolled.....	2104
Introduced and referred.....	906	Signed by the president.....	2115
Reported for Ind. postponement.....	1142	Sent to the governor.....	2130
Indefinitely postponed .....	1142	Signed by the governor Apr. 22	
389 By Buser. Creating a state purchasing committee with authority to accept bids for bridge lumber, paving brick, steel and culverts.		395 By Byington. To repeal the law relative to vital statistics.	
Introduced and referred.....	922	Introduced and referred.....	923
Reported for amendment.....	1292	Reported for passage.....	1606
Amendment adopted .....	1363	396 By Anderson. Relating to the number of directors of state banks.	
Passed; ayes 21, nays 13.....	1364	Introduced and referred.....	923
Motion to reconsider.....	1488	Reported for passage.....	1096
Failed to pass; ayes 18, nays 26.	1489	Passed; ayes 35, nays 0.....	1232
390 By Printing Committee. Providing for the notice of sale of property of delinquent taxes and the publication of such notices.		397 By Mitchell. Relating to the true boundary line between tracts of land and the authority of the government surveys.	
Introduced, passed on file.....	922	Introduced and referred.....	932
Passed; ayes 38, nays 1.....	1057	Reported for amendment.....	1131
Motion filed to reconsider.....	1090	Withdrawn .....	1238
Motion prevailed .....	1199	398 By Foster. Forbidding fraudulent sales of goods or bonds by advertisement or misrepresentation.	
Amended .....	1200		

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Introduced and referred.....	932	Signed by the president.....	2319
Reported for amendment.....	1422	Sent to the governor.....	2323
Amendment adopted.....	1477	Signed by the governor Apr. 25	
Amended.....	1478		
Passed; ayes 45, nays 0.....	1479		
399 By Taylor. To enact a substitute in reference to the registration of births.		406 By Kingland. Fixing the maximum amount a candidate for office may expend in his campaign.	
Introduced and referred.....	932	Introduced and referred.....	934
Reported for ind. postponement.....	1725	Reported for ind. postponement.....	1336
Indefinitely postponed.....	1725	Indefinitely postponed.....	1336
400 By Taylor. Legalizing acknowledgments by notary publics whose commissions have expired.		407 By Committee on Departmental Affairs. Transferring from the secretary of state to the treasurer of state the automobile registration department.	
Introduced and referred.....	933	Introduced and passed on file..	939
Reported for passage.....	1911	Passed; ayes 40, nays 0.....	940
Passed; ayes 34, nays 0.....	1112	Concurs in amendments, ayes 38, nays 0.....	978
401 By Parker. Relating to bonds issued to pay the cost of street improvement and the time of their payment.		Reported correctly enrolled....	986
Introduced and referred.....	933	Signed by the president.....	986
Reported for passage.....	1493	Sent to the governor.....	986
Committee report adopted.....	1465	Signed by the governor Mar. 14 1910	
Passed; ayes 37, nays 0.....	1465	408 By Fralley. Relating to the method of estimating the rate of tax for any purpose authorized by law.	
402 By Parker. To punish the making of false entries upon the books of a corporation or other employer by any officer of such corporation.		Introduced and referred.....	940
Introduced and referred.....	933	Reported for ind. postponement.....	1094
Reported for amendment.....	1049	Indefinitely postponed.....	1094
Amendment adopted.....	1177	409 By Committee on Insurance. Regulating insurance companies and authorizing the commissioner of insurance to act as receiver for insolvent companies.	
Passed; ayes 32, nays 2.....	1177	Introduced and passed on file..	941
Reported correctly enrolled....	1794	Passed; ayes 44, nays 0.....	1058
Signed by the president.....	1789		
Sent to the governor.....	1798	410 By Foster. Legalizing certain warrants and funding bonds issued at Panama.	
Signed by the governor Apr. 11 2043		Introduced and referred.....	941
403 By Parker. Relating to the investment of insurance funds in corporations owning real estate used for insurance purposes.		Reported for passage.....	1340
Introduced and referred.....	933	Passed; ayes 35, nays 0.....	1409
Reported for ind. postponement.....	1730	Reported correctly enrolled....	1793
Indefinitely postponed.....	1730	Signed by the president.....	1789
404 By Parker. Relating to the licenses to insurance agents and requiring a bond from such agents.		Sent to the governor.....	1800
Introduced and referred.....	933	Signed by the governor Apr. 11 2043	
Reported for passage.....	1161	411 By Van Alstine. With reference to the question of trot line for catching fish.	
Committee report adopted.....	1540	Introduced and referred.....	941
Amended.....	1540	Reported for ind. postponement.....	1585
Passed; ayes 39, nays 0.....	1541	Indefinitely postponed.....	1585
405 By Whitmore. Increasing the tax exemption for soldiers and sailors.		412 By Van Alstine. To limit the time within which a surviving spouse may elect not to take under a will.	
Introduced and referred.....	933	Introduced and referred.....	941
Reported for amendment.....	1485	413 By Van Alstine. Relating to licenses for hunting and fishing.	
Amendment adopted.....	2006		
Passed; ayes 34, nays 3.....	2007		
Reported correctly enrolled....	2311		

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Introduced and referred.....	941	422 By Frailey. To legalize titles to buildings erected by contractors at the state penitentiary.	
Reported for passage.....	1584	Introduced and referred.....	957
Report adopted.....	1750	Reported for passage.....	1143
Amended.....	1751	Withdrawn by the author.....	1620
Failed to pass; ayes 15, nays 30.	1752	423 By Balkema. Relating to the levy of taxes for water works in towns.	
414 By Arney. Providing for cities to license firms engaged in the business of painting.		Introduced and referred.....	957
Introduced and referred.....	942	Reported for passage.....	1193
Reported for ind. postponement.....	1291	Withdrawn by the author.....	1620
Indefinitely postponed.....	1291	424 By Parker. Duty of the county board to establish drainage districts upon proper petition.	
415 By Smith. Relating to exemption of taxes by reason of age or infirmity.		Introduced and referred.....	961
Introduced and referred.....	942	Reported for ind. postponement.....	1503
Reported for amendment.....	1686	Indefinitely postponed.....	1503
Amendment adopted.....	2006	Re-referred.....	1629
Passed; ayes 35, nays 0.....	2006	Reported for ind. postponement.....	1729
416. By Stoddard. Providing for the appointment of a special county auditor in populous counties and to regulate his compensation.		Indefinitely postponed.....	1729
Introduced and referred.....	942	425 By Parker. Enlarging the powers of the board in issuing certificates to teachers upon evidence of teaching experience.	
Reported for amendment.....	1424	Introduced and referred.....	961
Amendment adopted.....	1517	Reported for passage.....	1538
Passed; ayes 33, nays 9.....	1521	Passed; ayes 38, nays 3.....	1742
417 By Kimball. Relating to the liability of banks as to surplus and capital stock.		Reported correctly enrolled.....	2105
Introduced and referred.....	942	Signed by the president.....	2115
418 By Kimball. Relating to estate of absentees.		Sent to the governor.....	2130
Introduced and referred.....	942	Signed by the governor Apr. 22.	
Reported for amendment.....	1050	426 By Parker. Relating to jurisdiction of the district court in juvenile matters.	
Amendment adopted.....	1114	Introduced and referred.....	961
Passed; ayes 29, nays 0.....	1114	Reported for ind. postponement.....	1192
419 By Scott. Including Spanish influenza among the diseases subject to quarantine.		Indefinitely postponed.....	1193
Introduced and referred.....	943	427 By Parker. Increase of the salary of probation officers in certain cities.	
Withdrawn by author.....	1080	Introduced and referred.....	961
420 By Kimball. Relating to filling vacancies in the office of United States senator.		Reported for passage.....	1581
Introduced and referred.....	956	428 By Parker. Relating to residence of widowed mothers receiving financial aid from a county.	
Reported for passage.....	971	Introduced and referred.....	961
Action deferred.....	1030	Reported for passage.....	1424
Passed; ayes 44, nays 0.....	1056	Committee report adopted.....	1483
Reported correctly enrolled.....	1792	Passed; ayes 35, nays 3.....	1484
Signed by the president.....	1789	429 By Parker. Admissability of loose leaf ledgers and similar material as evidence in court.	
Sent to the governor.....	1800	Introduced and referred.....	962
Signed by the governor Apr. 11	2043	Reported for passage.....	1502
421 By Kimball. Providing free tuition in any state institution of learning for honorably discharged soldiers or sailors.		Report adopted.....	1666
Introduced and referred.....	956	Amended.....	1666
Reported for passage and re-referred.....	1658	Passed; ayes 36, nays 0.....	1666
Reported for ind. postponement.....	1843	Concurs in amendments; ayes 35, nays 0.....	2024
Indefinitely postponed.....	1883		

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Reported correctly enrolled....	2170	Signed by the president.....	2319
Signed by the president.....	2171	Sent to the governor.....	2321
Sent to the governor.....	2171	Signed by the governor Apr. 22.	
Signed by the governor Apr. 25.			
430 By Balkema. Providing two additional stock raisers to be members of the state board of animal health.		437 By Scott. Relating to admission to probate of wills by clerks of the district court.	
Introduced and referred.....	962	Introduced and referred.....	963
Reported for passage.....	1257	Reported for passage.....	1421
Passed; ayes 32, nays 4.....	1354	Report adopted.....	1484
Reported correctly enrolled....	1914	Passed; ayes 40, nays 0.....	1484
Signed by the president.....	1940	Reported correctly enrolled....	2334
Sent to the governor.....	1941	Signed by the president.....	2338
Signed by the governor Apr. 16.		Sent to the governor.....	2339
		Signed by the governor Apr. 25.	
431 By Schaffter. Giving to women the right to vote for presidential electors.		438 By Scott. Providing for appointment of clerks of the district court by the judges of the court.	
Introduced and referred.....	962	Introduced and referred.....	964
Reported for recommendation..	1337	Reported for ind. postponement	1609
Re-referred.....	1541	Indefinitely postponed.....	1609
Reported for amendment.....	1564		
Amendment adopted.....	1599	439 By Evans. Relating to supervision of the official register.	
Amended.....	1600	Introduced and referred.....	964
Passed; ayes 38, nays 8.....	1600	Reported for passage.....	1564
Reported correctly enrolled....	2310	Passed; ayes 34, nays 0.....	1636
Signed by the president.....	2319		
Sent to the governor.....	2323	440 By Wilson. To quit claim title to land in Davis county.	
Signed by the governor Apr. 25.		Introduced and referred.....	964
		Reported for passage.....	1012
432 By Buser. Authorizing cities to contract for service from utility companies.		Passed; ayes 43, nays 0.....	1078
Introduced and referred.....	962	Reported correctly enrolled....	1668
Reported for ind. postponement	1724	Signed by the president.....	1670
Indefinitely postponed.....	1724	Sent to the governor.....	1727
		Signed by the governor Apr. 9 1926	
433 By Buser. Providing for the care of trees and shrubbery along streets.		441 By Price. Increasing the compensation of reporters in the superior and municipal courts.	
Introduced and referred.....	962	Introduced and referred.....	964
Reported for amendment.....	1679	Reported for passage.....	1341
		Passed; ayes 36, nays 4.....	1553
434 By Committee on Departmental Affairs. Relating to the place of residence of state employees with regard to payment of traveling expenses.		442 By Kimberly. Legalizing plat of Long Grove.	
Introduced, and passed on file..	963	Introduced and referred.....	965
Amended.....	1138	Reported for amendment.....	1131
Re-referred.....	1178	Amendment adopted.....	1272
		Passed; ayes 39, nays 0.....	1272
435 By Newberry. Giving the secretary of the board of health an allowance for postage and stationery.		Reported correctly enrolled....	1609
Introduced and referred.....	963	Signed by the president.....	1615
		Sent to the governor.....	1623
436 By Schaffter. Authorizing insurance companies to act as trustees of certain insurance policy proceeds.		Signed by the governor Apr. 7 1926	
Introduced and referred.....	963	443 By Kimberly. Making law as to juvenile playgrounds apply to special charter cities.	
Reported for passage.....	1160	Introduced and referred.....	965
Failed to pass; ayes 18, nays 16.	1209	Reported for passage.....	1192
Motion filed to reconsider....	1209	Passed; ayes 45, nays 0.....	1343
Motion prevailed.....	1595	Reported correctly enrolled....	1878
Passed; ayes 26, nays 18.....	1595	Signed by the president.....	1899
Reported correctly enrolled....	2293	Sent to the governor.....	1915
		Signed by the governor.....	2043

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444 By Rule. Granting the right of suffrage to women in school elections.		where public security is required to be given.	
Introduced and referred.....	965	Introduced and referred.....	1004
Reported for ind. postponement	1340	Reported for ind. postponement.....	1384
Indefinitely postponed.....	1340	Indefinitely postponed.....	1385
445 By Kingland. Providing for the taxation of direct inheritances.		453 By Stoddard. Relating to the exemption of certain forms of property from taxation.	
Introduced and referred.....	965	Introduced and referred.....	1004
Reported for ind. postponement	1732	Reported for amendment.....	1386
Indefinitely postponed.....	1732	Amendment adopted.....	1453
446 By Kingland. Requiring that a county court room be kept well lighted, heated and ventilated while court is in session.		Passed; ayes 32, nays 0.....	1453
Introduced and referred.....	965	454 By Stoddard. Relating to the assessment of the stock of all banks.	
Reported for ind. postponement	1142	Introduced and referred.....	1004
Indefinitely postponed.....	1142	Reported for passage.....	1685
447 By Kingland. Declaring telephone and telegraph companies to be common carriers.		Report adopted.....	2016
Introduced and referred.....	965	Action deferred.....	2016
448 By Brookhart. Creating a state board of art to have charge of selection of structures of memorial art and their placement.		Withdrawn by the author.....	2049
Introduced and referred.....	992	455 By Holdoegel. Conferring upon the executive council additional powers as a state board of review.	
Reported for ind. postponement.....	1256	Introduced and referred.....	1004
Indefinitely postponed.....	1256	Reported for ind. postponement.....	1610
449 By Balkema. Relating to the compensation of members of the state highway commission.		Indefinitely postponed.....	1610
Introduced and referred.....	992	456 By Stoddard. Granting additional power to cities and municipalities as to sanitation.	
Reported for amendment.....	2088	Introduced and referred.....	1010
Amendment adopted.....	2122	Reported for amendment.....	1423
Passed; ayes 28, nays 8.....	2122	Amendment adopted.....	1505
Reported correctly enrolled.....	2334	Passed; ayes 40, nays 0.....	1505
Signed by the president.....	2338	Reported correctly enrolled.....	2105
Sent to the governor.....	2338	Signed by the president.....	2115
Signed by the governor Apr. 25.		Sent to the governor.....	2130
450 By Price. Appropriating from fish and game fund for purchase of public parks and game reserves.		Signed by the governor Apr. 22.	
Introduced and referred.....	992	457 By Scott. Legalizing a consolidated school district in Floyd county.	
Reported for passage.....	1584	Introduced and referred.....	1010
Passed; ayes 29, nays 18.....	1753	Reported for passage.....	1421
451 By Wilson. Relating to the limitation of indictment or prosecution when the defendant is out of the state.		Passed; ayes 38, nays 0.....	1506
Introduced and referred.....	1003	Reported correctly enrolled.....	1792
Reported for amendment.....	1384	Signed by the president.....	1789
Amendment adopted.....	1452	Sent to the governor.....	1799
Passed; ayes 31, nays 0.....	1452	Signed by the governor Apr. 11, 2043	
452 By Kingland. Providing for the forms of bonds		458 By Proudfoot. Relating to fraternal beneficial societies and limited payment certificates.	
		Introduced and referred.....	1011
		Reported for passage.....	1161
		Amended.....	1310
		Passed; ayes 46, nays 0.....	1310
		Reported correctly enrolled.....	1879
		Signed by the president.....	1899
		Sent to the governor.....	1916
		Signed by the governor Apr. 14, 2043	
		459 By Rule. Adding to the military code of Iowa provision for a number of new units.	



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Introduced and referred.....	1036	467 By Evans. Authorizing purchase of property for the purpose of manufacturing cement.	
Reported for passage.....	1191		
Passed; ayes 40, nays 0.....	1349	Introduced and referred.....	1037
Reported correctly enrolled.....	2335	Reports without recommendation .....	1632
Signed by the president.....	2338		
Sent to the governor.....	2339	468 By Evans. Defining stock yards and providing for the regulation and control of the same by the state railway commission.	
Signed by the governor Apr. 25.			
460 By Haskell. Relating to the formation of supervisor districts and the election of supervisors.		Introduced and referred.....	1037
Introduced and referred.....	1036		
Reported for passage.....	1318	469 By Fellows. Providing for the admission of certain children to the state university hospital.	
Action deferred.....	1661		
Amended .....	1670	Introduced and referred.....	1038
Passed; ayes 28, nays 11.....	1673	Reported for passage.....	1657
		Passed; ayes 40, nays 0.....	2250
461 By Greenell. Increasing the pay of members of the legislature from \$1000 a session to \$2000 a session.		470 By Horchem. To promote child life by providing out door diversion, physical and moral training.	
Introduced and referred.....	1036		
Reported for ind. postponement.....	1608	Introduced and referred.....	1038
Indefinitely postponed.....	1608	Reported for passage.....	1525
		Passed; ayes 32, nays 6.....	1617
462 By Greenell. Relating to probation officers and detention homes.		471 By Ratcliff. Providing for limitation of the expenses of life insurance corporations.	
Introduced and referred.....	1036		
Reported for passage.....	1421	Introduced and referred.....	1038
Amended .....	1522	Reported for passage.....	1163
Passed; ayes 42, nays 0.....	1522	Withdrawn by the author.....	1315
Reported correctly enrolled.....	2292		
Signed by the president.....	2319	473 By Van Alstine. To limit the time for commencing action to recover real estate or to foreclose a mortgage..	
Sent to the governor.....	2321		
Signed by the governor Apr. 24.		Introduced and referred.....	1038
463 By Greenell. Providing for compensation to be paid members of soldier's relief commission.		Reported for ind. postponement.....	1258
Introduced and referred.....	1036	Indefinitely postponed.....	1192
Reported for ind. postponement.....	1192		
Indefinitely postponed.....	1192	474 By Kimball. Relating to highways near cities and the duties of the board of supervisors.	
464 By Parker. Strengthening the law against the concealment or sale of mortgaged property.		Introduced and referred.....	1039
Introduced and referred.....	1036	Reported for passage.....	1317
Reported for amendment.....	1258	Passed; ayes 32, nays 1.....	1442
Passed; ayes 32, nays 8.....	1388		
Reported correctly enrolled.....	2104	475 By Committee on Cities and Towns. The housing bill to provide for the regulation of housing conditions in cities and towns.	
Signed by the president.....	2115		
Sent to the governor.....	2139	Introduced and passed on file.	
Signed by the governor Apr. 22.		Passed; ayes 42, nays 0.....	1266
465 By Buser. Providing a method of effecting changes in the plans for a drainage district.		Concurs in amendments; ayes 26, nays 0.....	1331
Introduced and referred.....	137	Reported correctly enrolled.....	1490
Passed; ayes 42, nays 2.....	1312	Signed by the president.....	1493
Reported for amendment.....	1591		
Amendment adopted.....	1760		
Passed; ayes 41, nays 9.....	1760		
466 By Le Compte. Giving the railroad commissioners definite power to require passenger service on railroads.			
Introduced and referred.....	1037		

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Sent to the governor .....	1493	Signed by the president.....	1899
Signed by the governor Mar. 31.	1512	Sent to the governor.....	1916
476 By Committee on Banks and Banking. Authority to prohibit new banks.		Signed by the governor Apr. 11.	2043
Introduced, passed on file.....	1120	482 By Committee on Agricul- ture. Regulating and licens- ing the manufacture, sale and use of anti-hog cholera serum and hog cholera virus.	
Amended .....	1267	Introduced and passed on file...	1198
Passed; ayes 38, nays 6.....	1268	Re-referred .....	1298
Concurs in amendments; ayes 39, nays 1.....	1894	Withdrawn .....	
Reported correctly enrolled.....	1914	483 By Wilson. Increasing the salary of the commissioner of insurance and of employes of the department.	
Signed by the president.....	1940	Introduced and passed on file...	1198
Sent to the governor.....	1941	484 By Committee on Insurance. Relating to the qualification and licensing of insurance agents and prohibiting the rebating of insurance pre- miums.	
Signed by the governor Apr. 16.		Introduced and passed on file...	1214
477 By Committee on Public Schools. Relating to the limit of indebtedness of school districts for school houses and additions.		Passed; ayes 28, nays 16.	1350.
Introduced and passed on file...	1130	485 By Committee on Insurance. Removing discrimination in taxes as between mutual and stock fire and casualty insurance.	
Passed; ayes 33, nays 0.....	1239	Introduced and passed on file...	1214
Concurs in amendments; ayes 42, nays 1.....	1931	Passed; ayes 27, nays 20.....	1351
Reported correctly enrolled.....	2104	486 By White. Revision of the law regulating the sale of agricultural seeds.	
Signed by the president.....	2115	Introduced and passed on file...	1260
Sent to the governor.....	2129	Amended .....	1391
Signed by the governor Apr. 22.		Passed; ayes 41, nays 0.....	1391
478 By Committee on Ways and Means. Relating to the reg- istration of motor vehicles.		487 By Committee on Public Schools. Relating to the qualifications for a county superintendent.	
Referred .....	1164	Introduced and passed on file...	1294
Re-referred .....	1164	Referred .....	1488
Returned .....	1295	Withdrawn by the author.....	1539
Amended .....	1573	488 By Public Utilities Commit- tee. Providing for an appeal in the matter of rates for public utilities.	
Action deferred .....	1574	Introduced and passed on file...	1332
Re-referred .....	1576	Withdrawn by the author.....	1620
479 By Committee on Banks and Banking. Relating to bank property exempt from taxa- tion.		489 By Committee on Insurance. Relating to the investment of insurance company funds.	
Introduced, passed on file.....	1163	Introduced and passed on file...	1333
Concurs in amendments; ayes 42, nays 0 .....	2039	Amended .....	1570
Reported correctly enrolled.....	2171	Passed; ayes 38, nays 4.....	1570
Signed by the president.....	2177	Motion filed to reconsider.....	1595
Sent to the governor.....	2177	Motion prevails .....	1806
Signed by the governor Apr. 18.		Returned and withdrawn.....	1807
480 By Committee on Depart- mental Affairs. Relating to settlement with public offi- cials.		490 By Committee on Insurance. Defining group insurance and authorizing certain com- panies to deal in the same.	
Introduced and passed on file...	1163	Introduced and passed on file...	1333
Referred .....	1163	Amended .....	1570
Recommends passage .....	1398	Passed; ayes 38, nays 4.....	1570
Amended .....	1513	Motion filed to reconsider.....	1595
Passed; ayes 37, nays 1.....	1513	Motion prevails .....	1806
Reported correctly enrolled.....	2201	Returned and withdrawn.....	1807
Signed by the president.....	2196		
Sent to the governor.....	2239		
Signed by the governor Apr. 26.			
481 By Committee on Suppres- sion of Intemperance. Author- izing any minister, priest or rabbi to obtain a permit authorizing the transporta- tion of sacramental wines, etc.			
Introduced and passed on file...	1164		
Passed; ayes 41, nays 3.....	1276		
Reported correctly enrolled.....	1878		

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Introduced and passed on file...	1333	nays 0.....	1913
H. F. 546 substituted for.....	1579	Conference committee recom-	
Passed; eyes 42, nays 8.....	1580	mends amendment.....	2186
Withdrawn by the author.....	1580	Rejects amendment.....	2187
		President appoints conference	
491 By Committee on Insurance.		committee.....	2196
Relating to who may be benefi-		Recommends amendments.....	2245
ciaries under the fraternal		Report adopted.....	2248
beneficiary insurance laws.		Recedes in amendments.....	2248
		Concurs in amendments.....	2249
Introduced and passed on file....	1333	Reported correctly enrolled....	2335
Amended.....	1581	Signed by the president.....	2338
Passed; eyes 39, nays 2.....	1581	Sent to the governor.....	2339
Reported correctly enrolled.....	1967	Signed by the governor Apr. 22.	
Signed by the president.....	1985		
Sent to the governor.....	1985		
Signed by the governor Apr. 16.			
492 By Committee on Insurance.			
Relating to the rates of the		498 By Committee on Judiciary	
fraternal beneficiary associa-		No. 2. Making it unlawful	
tions.		for corporations to act as at-	
		torneys or give legal advice.	
Introduced and passed on file....	1334		
Amended.....	1582	Introduced and passed on file....	1382
Passed; eyes 38, nays 0.....	1583	Action deferred.....	1516
Motion filed to reconsider.....	1602	Amended.....	1647
H. F. 553 substituted for.....	2043	Failed to pass; eyes 14, nays 15.	1648
Withdrawn by the author.....	2044	Reconsidered and amended.....	1969
		Passed; eyes 32, nays 5.....	1970
493 By Committee on Depart-			
mental Affairs. To abolish the		499 By Committee on Appropria-	
parole board.		tions. Appropriating for aid	
		of a state horticultural ex-	
Introduced and passed on file....	1334	position.	
Action deferred.....	1596		
Enacting clause stricken out....	1912	Introduced and passed on file....	1382
		Passed; eyes 41, nays 1.....	1555
494 By Committee on Approp-		Reported correctly enrolled....	2171
riations. Appropriating for		Signed by the president.....	2177
repair and contingent fund		Sent to governor.....	2178
for the school for the deaf.		Signed by the governor Apr. 25.	
Introduced and passed on file....	1380	500 By Committee on Appropria-	
Passed; eyes 31, nays 0.....	1444	tions. Appropriating to the	
Reported correctly enrolled.....	2046	state board of health for in-	
Signed by the president.....	2047	vestigation of sanitary mat-	
Sent to the governor.....	2048	ters.	
Signed by the governor Apr. 18.			
495 By Committee on Appropria-			
tions. Amending the law as		Introduced and passed on file....	1382
to the capitol extension tract		Passed; eyes 42, nays 0.....	1616
and revising the boundary		Concurs in amendments; eyes 39,	
thereof.		nays 0.....	2035
		Reported correctly enrolled....	2172
Introduced and passed on file....	1380	Signed by the president.....	2177
Passed; eyes 35, nays 4.....	1470	Sent to the governor.....	2178
Reported correctly enrolled.....	2309	Signed by the governor Apr. 25.	
Signed by the president.....	2319		
Sent to the governor.....	2320		
Signed by the governor Apr. 22.			
496 By Highways Committee.		501 By Judiciary Committee No.	
General revision of the law		1. Amending the law relat-	
as to highways.		ing to dismissal of actions.	
		Introduced and passed on file....	1399
Introduced, passed on file.....	1381	Passed; eyes 36, nays 0.....	1471
Amendment filed.....	1692		
Withdrawn by the author.....	1884		
497 By Insurance Committee.		502 By Judiciary Committee No.	
Providing for reincorporat-		1. Relating to the notice of	
ing fraternal beneficiary so-		expiration or right of re-	
cieties as legal reserve level		demption from tax sale.	
premium life insurance com-			
panies.		Introduced and passed on file....	1399
		Passed; eyes 31, nays 0.....	1645
Introduced and passed on file....	1382		
Passed; eyes 23, nays 3.....	1613	503 By Committee on Judiciary	
Amends and concurs in; eyes 41.		No. 2. To legalize certain	
		warrants issued in Wapello	
		county.	
		Introduced and passed on file....	1418
		Passed; eyes 43, nays 0.....	1615

S. F.	Page	S. F.	Page
Reported correctly enrolled....	2045	for recovery of amounts paid for support of a widowed mother from the county of her legal residence	
Signed by the president.....	2047		
Sent to the governor.....	2048		
Signed by the governor Apr. 18.			
504 By Committee on Cities and Towns. Authorizing cities to require that streets be brought to grade before town plats are accepted.		Introduced and passed on file..	1526
		Passed; ayes 28, nays 9.....	1664
Introduced and passed on file..	1418	512 By Committee on County and Township Affairs. Relating to the time of payment of special assessments on drainage costs.	
Passed; ayes 26, nays 18.....	1507		
Reported correctly enrolled....	1966	Introduced and passed on file..	1526
Signed by the president.....	1985	Passed; ayes 29, nays 0.....	1665
Sent to the governor.....	1985	513 By Committee on Cities and Towns. Relating to the publication and posting of notices of assessment in a public place.	
Signed by the governor Apr. 17.			
505 By Insurance Committee. Requiring that insurance companies adopt rating and approval of such ratings by the insurance commissioner.		Introduced and passed on file..	1532
		Passed; ayes 34, nays 0.....	1637
Introduced and passed on file..	1419	Reported correctly enrolled....	2203
Reported for passage.....	1883	Signed by the president.....	2196
Passed; ayes 27, nays 15.....	1972	Sent to the governor.....	2241
506 By Judiciary Committees Nos. 1 and 2. Fixing the amount which may be taxed as attorney fees when judgment is rendered on written contracts.		Signed by the governor Apr. 25.	
		514 By Committee on Cities and Towns. Relating to giving of notices for bids by posting in some public place.	
Introduced and passed on file..	1419		
Passed; ayes 27, nays 6.....	2036	Introduced and passed on file..	1533
507 By Judiciary Committees Nos. 1 and 2. Relating to the attorney fees which may be taxed in partition cases.		Passed; ayes 35, nays 0.....	1637
		Reported correctly enrolled....	2203
Introduced and passed on file....	1419	Signed by the president.....	2196
Passed; ayes 26, nays 11.....	1904	Sent to the governor.....	2241
508 By Committee on Motor Vehicles. Revision of the law as to motor vehicles and license numbers.		Signed by the governor Apr. 25.	
		515 By Committee on Cities and Towns. Relating to the publication and posting of notices in a public place.	
Introduced and passed on file..	1454		
Referred .....	1576	Introduced and passed on file..	1533
509 By Committee on Judiciary No. 1. Requiring that a newspaper printed in a language other than English shall print a translation.		Passed; ayes 34, nays 0.....	1638
		Reported correctly enrolled....	2203
Introduced and passed on file..	1503	Signed by the president.....	2196
Amended .....	1876	Sent to the governor.....	2240
Failed to pass; ayes 11, nays 25.	1877	Signed by the governor Apr. 22.	
510 By Committee on Appropriations. To appropriate to encourage boards of education to provide for agricultural training and recreation for children.		517 By Committee on Public Schools. Relating to state aid for schools maintaining force for teachers and applying to other than public schools.	
Introduced and passed on file..	1526	Introduced and passed on file..	1562
Action deferred .....	1617	Passed; ayes 37, nays 0.....	1807
Passed; ayes 35, nays 5.....	1664	518 By Committee on Judiciary No. 2. To correct error in land title at New Rippey.	
Reported correctly enrolled....	2335		
Signed by the president.....	2338	Introduced and passed on file..	1591
Sent to the governor.....	2339	Passed; ayes 35, nays 0.....	1765
Signed by the governor Apr. 25.		Reported correctly enrolled....	2203
511 By Committee on County and Township Affairs. Providing			

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Signed by the president.....	2196	Sent to the governor.....	2339
Sent to the governor.....	2240	Signed by the governor Apr. 25.	
Signed by the governor Apr. 22.		526 By Committee on Railroads	
519 By Committee on Public		Authorizing the railroad	
Schools. Revision of the law		commission to regulate the	
with regard to school town-		rates of fares and service	
ships and districts and the		of street railway comp-	
duties and meetings of		anies.	
school boards.		Introduced and passed on file..	1634
Introduced and passed on file..	1591	Passed; ayes 30, nays 14.....	1898
Passed; ayes 34, nays 0.....	1808	527 By Judiciary Committee No.	
520 By Committee on Public		1. Legalizing an election in	
Health. Giving the execu-		Oakland for issue of bonds.	
tive council authority to use		Introduced and passed on file..	1674
the contingent fund for the		Passed; ayes 33, nays 0.....	1764
suppression of any epidemic.		Concurs in amendments; ayes 32,	
Introduced and passed on file..	1610	nays 0 .....	2014
Passed; ayes 34, nays 0.....	1902	Reported correctly enrolled....	2171
521 By Committee on Public		Signed by the president.....	2177
Health. Relative to the		Sent to the governor.....	2178
qualifications for the prac-		Signed by the governor Apr. 22.	
tice of nursing.		528 By Judiciary Committee No.	
Introduced and passed on file..	1611	1. Providing for a joint	
Failed to pass; ayes 19, nays 23.	1890	drainage board where a dis-	
522 By Committee on Appropri-		trict includes a part of a	
ations. Extending the		city.	
powers of the superinten-		Introduced and passed on file..	1674
dent of public instruction re-		Amended .....	2001
lative to positions of a		Failed to pass; ayes 19, nays 20.	2002
teachers.		529 By Judiciary Committees	
Introduced and passed on file..	1611	Nos. 1 and 2. Relating to	
Passed; ayes 35, nays 0.....	1889	compensation of executors,	
Reported correctly enrolled....	2335	administrators and at-	
Signed by the president.....	2338	torneys in the settlement of	
Sent to the governor.....	2338	estates.	
Signed by the governor Apr. 22.		Introduced and passed on file..	1674
523 By Committee on Appropri-		Passed; ayes 27, nays 12.....	1908
ations. Amending the law		Reported correctly enrolled....	2171
as to state aid for the State		Signed by the president.....	2177
Dairy Association and other		Sent to the governor.....	2178
associations.		Signed by the governor Apr. 25.	
Introduced and passed on file..	1611	530 By Committee on public	
Passed; ayes 41, nays 0.....	1891	Schools. Relating to con-	
Reported correctly enrolled....	2293	solidated schools and to	
Signed by the president.....	2319	legalize the formation of	
Sent to the governor.....	2321	certain districts.	
Signed by the governor Apr. 25.		Introduced and passed on file..	1675
524 By Printing Committee.		Passed; ayes 35, nays 0.....	1902
Authorizing the contracts		Reported correctly enrolled....	2293
for printing the code.		Signed by the president.....	2319
Introduced and passed on file..	1611	Sent to the governor.....	2322
Amended .....	1958	Signed by the governor Apr. 22.	
Passed; ayes 35, nays 0.....	1958	531 By Committee on Appropri-	
Reported correctly enrolled....	2202	ations. To place the matter	
Signed by the president.....	2196	of state parks under the	
Sent to the governor.....	2240	board of conservation and	
Signed by the governor Apr. 22.		to appropriate therefor.	
525 By Committee on Board of		Introduced and passed on file..	1734
Control. To provide for the		Passed; ayes 42, nays 1.....	1932
better care and detention of		Reported correctly enrolled....	2309
feeble-minded persons.		Signed by the president.....	2319
Introduced and passed on file..	1634	Sent to the governor.....	2320
Passed; ayes 44, nays 0.....	1892	Signed by the governor Apr. 25.	
Reported correctly enrolled....	2334	532 By Committee on Appropri-	
Signed by the president.....	2338	ations. To appropriate to	
		the railroad commission for	

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	investigation of interstate cases.		warden shall be confirmed by the senate.
	Introduced and passed on file..1880		Introduced and passed on file....1987
	Passed; ayes 41, nays 0.....1928		Amended .....2111
	Concurs in amendments; ayes 28, nays 0.....2342		Passed; ayes 40, nays 0.....2112
	Reported correctly enrolled.....2334	539	By Sifting Committee. Forbidding the recording of a dedication for street purposes of any ground without a certificate showing that the streets have been brought to grade.
	Signed by the president.....2338		Introduced and passed on file....2029
	Sent to the governor.....2338		Failed to pass; ayes 14, nays 15.2184
	Signed by the governor Apr. 25.	540	By Committee on Departmental Affairs. Abolishing the board of examiners for mine foremen and giving authority to the mine inspectors to act as such board.
533	By Committee on Appropriations. To increase the annual appropriation for the support of the weather and crop service.		Introduced and passed on file..2089
	Introduced and passed on file..1880		Amended .....2124
	Passed; ayes 42, nays 0.....1929		Passed; ayes 31, nays 7.....2124
	Reported correctly enrolled.....2335	541	By Committee on Departmental Affairs. Fixing the salaries of officials and employees in the state service.
	Signed by the president.....2338		Introduced and referred.....2188
	Sent to the governor.....2339		Considered .....2188
	Signed by the governor Apr. 25.		Amended .....2217
534	By Committee on Appropriations. Authorizing the state entomologist to buy an automobile and other equipment.		Passed; ayes 36, nays 1.....2218
	Introduced and passed on file..1880		Refuses to concur in amendments; ayes 36, nays 0.....2333
	Passed; ayes 43, nays 0.....1927		President appoints committee.....2334
	Reported correctly enrolled.....2309		Reported for amendment.....2340
	Signed by the president.....2319		Amendments adopted .....2340
	Sent to the governor.....2320		Reported correctly enrolled.....2346
	Signed by the governor Apr. 22.		Signed by the president.....2348
535	By Committee on Appropriations. Relating to change in the boundaries of the capitol extension.		Sent to the governor.....2348
	Introduced and passed on file..1901		Signed by the governor Apr. 21.
	Passed; ayes 39, nays 2.....1926	542	By Sifting Committee. Relating to the decisions of the supreme court.
	Reported correctly enrolled....2201		Introduced and passed on file..2137
	Signed by the president.....2196		Amended .....2182
	Sent to the governor.....2239		Passed; ayes 38, nays 6.....2184
	Signed by the governor Apr. 25.	543	By Sifting Committee. Relating to the licensing of chauffeurs of motor trucks engaged in mercantile and agricultural pursuits.
536	By Committee on Appropriations. To appropriate for Judge Mullan for expenses as district judge.		Introduced and considered...2138
	Introduced and passed on file..1951		Passed; ayes 38, nays 0.....2138
	Passed; ayes 38, nays 0.....2000		Reported correctly enrolled....2293
	Reported correctly enrolled.....2335		Signed by the president.....2819
	Signed by the president.....2338		Sent to the governor.....2322
	Sent to the governor.....2338		Signed by the governor Apr. 24.
	Signed by the governor Apr. 25.	544	By Sifting Committee. To amend the law relative to the code revision.
537	By Committee on Appropriations. Authorizing the state treasurer to employ assistance necessary to enforce collection of the collateral inheritance taxes.		Introduced .....2166
	Introduced and passed on file..1956		Passed; ayes 35, nays 0.....2167
	Passed; ayes 37, nays 2.....2023		Requests return of .....2317
	Reported correctly enrolled.....2335		Receives .....2323
	Signed by the president.....2338		
	Sent to the governor.....2338		
	Signed by the governor Apr. 22.		
538	By Committee on Departmental Affairs. Requiring that appointment of a game		

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545 By Committee on Ways and Means. Fixing the general revenue for each of the two years of the fiscal period to be raised by a state tax levy at \$7,900,000.		Considered .....	2306
		Passed; ayes 37, nays 0.....	2307
		Received back in.....	2343
		Reported correctly enrolled.....	2347
		Signed by the president.....	2348
		Sent to the governor.....	2348
Introduced and taken up.....	2305	Signed by the governor Apr. 24.	

# HISTORY OF HOUSE BILLS IN SENATE

## HOUSE FILES PASSED AND APPROVED.

House File Nos. 1, 4, 5, 6, 7, 9, 11, 12, 13, 14, 17, 18, 19, 26, 27, 29, 31, 35, 36, 37, 38, 40, 41, 44, 47, 49, 50, 53, 54, 62, 65, 66, 68, 70, 71, 72, 73, 77, 84, 85, 88, 94, 102, 103, 107, 108, 110, 111, 116, 118, 119, 121, 122, 123, 130, 131, 132, 133, 139, 141, 148, 165, 168, 169, 170, 180, 187, 189, 190, 196, 197, 199, 201, 202, 204, 205, 206, 208, 209, 213, 214, 215, 216, 218, 222, 224, 225, 227, 228, 232, 233, 234, 242, 243, 248, 249, 251, 252, 253, 255, 257, 260, 262, 264, 265, 266, 268, 269, 272, 275, 283, 284, 290, 293, 294, 295, 296, 302, 303, 307, 312, 313, 314, 317, 318, 319, 325, 326, 332, 335, 342, 343, 344, 345, 346, 347, 351, 357, 358, 361, 362, 365, 366, 372, 382, 384, 385, 389, 391, 392, 398, 409, 410, 414, 416, 417, 418, 419, 420, 423, 430, 431, 433, 435, 436, 439, 452, 453, 456, 458, 459, 466, 470, 471, 479, 484, 494, 495, 496, 497, 500, 502, 510, 516, 523, 526, 528, 529, 533, 534, 535, 536, 537, 540, 541, 546, 547, 548, 550, 553, 557, 560, 564, 565, 566, 567, 568, 569, 570, 573; and H. J. R. 4, 5.

## RECORD OF EACH BILL.

H. F.	Page	H. F.	Page
1 By Rogers. Authorizing each General Assembly to fix compensation of its employees by joint resolution.		Reported for passage.....	1476
		Report adopted.....	1571
		Passed; ayes 36, nays 12.....	1572
		Signed by the president.....	1740
Senate considers bill.....	63	7 By Weaver. Authorizing joint maintenance of sewers by adjoining cities located on a stream furnishing drainage for both.	
Passed; ayes 46, nays 1.....	63		
Signed by the president.....	93	Referred to committee.....	1087
4 By Wichman. Repealing the law for designating foreign language newspapers as official county papers, and requiring all legal notices to be published in English language papers.		Substitute reported.....	2179
		Substitute adopted.....	2180
		Passed; ayes 40, nays 2.....	2180
		Signed by the president.....	2307
Referred to committee.....	356	9 By Weaver. Authorizing cities to levy a half mill tax for purchase of real estate for park or memorial purposes.	
Reported for amendment.....	718		
Re-referred.....	740	Referred to committee.....	357
Reported for amendment.....	929	Reported for amendment.....	1386
Amended.....	993	Amendment adopted.....	1472
Passed; ayes 35, nays 0.....	995	Passed; ayes 36, nays 4.....	1472
Signed by the president.....	1104	Signed by the president.....	1643
5 By Weaver. To legalize an election to issue school bonds at Dallas Center.		11 By Weaver. Limiting the hours when children may be employed in labor.	
Referred to committee.....	214	Referred to committee.....	602
Reported for passage.....	225	Reported for passage.....	1096
Passed; ayes 43, nays 0.....	226	Passed; ayes 43, nays 0.....	1271
Signed by the president.....	264	Signed by the president.....	1493
6 By Dean. Establishing the English language as the medium of instruction in all public and private schools.		12 By Weaver. Appropriation for use in vocational schools supported partly by federal aid.	
Referred to committee.....	966		
Reported for amendment.....	1293		
Amendment adopted.....	1404		
Re-referred.....	1406		
Amendment stricken out.....	1476		



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Referred to committee.....	1088	Referred to committee.....	538
Re-referred .....	1130	Passed; ayes 40, nays 1.....	563
Reported for amendment.....	1881	Signed by the president.....	659
Amendment adopted .....	1958		
Passed; ayes 29, nays 12.....	1960	29 By Santee. Relating to state aid to county fairs and authorizing such aid up to \$1,500.	
Signed by the president.....	2177		
		Referred to committee.....	602
13 By Nebiker. To legalize school election in Huron township, Des Moines county.		Reported for passage.....	881
		Re-referred .....	881
Referred to committee.....	243	Recommends passage .....	1308
Reported for passage.....	288	Passed; ayes 38, nays 1.....	1473
Passed; ayes 44, nays 0.....	302	Signed by the president.....	1643
14 By Boies. Repealing the provision for rebate for road taxes because of wide-tired vehicles.		21 By Peters. Authorizing the school district of Bouton to issue its warrants in excess of the funds available.	
Referred to committee.....	346		
Recalled from committee.....	839	Referred to committee.....	1774
Reported for passage.....	928	Committee reports .....	1968
Passed; ayes 30, nays 6.....	1226	Passed; ayes 37, nays 0.....	1968
Signed by the president.....	1364	Signed by the president.....	2188
17 By Larson of Montgomery. To provide for recording without charge by the county recorder of the discharged papers of honorably discharged soldiers.		34 By Hanson. Giving a city council authority to direct how an addition shall be platted before plat is accepted.	
Referred to committee.....	377		
Reported for passage.....	650	Referred to committee.....	639
Passed; ayes 44, nays 0.....	698	Reported for ind. postponement.....	1093
Signed by the president.....	754	Indefinitely postponed .....	1093
18 By Larson of Montgomery. Requiring quarterly settlement and accounting for fees for county recorder.		35 By Hansen. Authorizing cities to establish building lines and to provide for assessing benefits and awarding damages.	
Referred to committee.....	359		
Reported for passage.....	520	Referred to committee.....	356
Passed; ayes 44, nays 0.....	560	Reported for passage.....	1041
Signed by the president.....	659	Amendment adopted .....	1111
		Passed; ayes 32, nays 6.....	1111
19 By Larson of Montgomery. Repealing the non-partisan election of judges and providing for their nomination by party conventions.		Signed by the president.....	1493
Placed on file.....	903		
Passed; ayes 26, nays 23.....	919	36 By Hansen. Authorizing cities to use the old material from a street in the work of repaving.	
Signed by the president.....	980		
		Referred to committee.....	283
26 By Vance. Making the law as to partition fences apply to timber tracts as well as other lands.		Reported for passage.....	559
Referred to committee.....	260	Passed; ayes 41, nays 0.....	559
Reported for passage.....	334	Signed by the president.....	659
Amended .....	350		
Re-referred .....	500	37 By Bradley. Fixing traveling fees for constables at 10 cents a mile.	
Reported for passage.....	578		
Failed to pass; ayes 24, nays 21 .....	626	Referred to committee.....	637
Vote reconsidered .....	765	Reported for ind. postponement.....	716
Amended .....	765	Indefinitely postponed .....	716
Passed; ayes 28, nays 10.....	785	Motion filed to reconsider.....	757
Signed by the president.....	917	Reconsidered .....	826
		Passed; ayes 33, nays 2.....	827
27 By Durbin. Requiring that all public schools be maintained for at least 36 weeks a year.		Signed by the president.....	871
		38 By Bradley. Relating to time for meeting of board of supervisors and adjournment.	
		Referred to committee.....	281
		Reported for passage.....	520
		Passed; ayes 46, nays 0.....	561
		Signed by the president.....	659
		40 By Young. Requiring only annual statements of the	

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payments out of the domestic animal fund.		62 By Durbin. Providing that soldiers' and sailors' widows be exempted from fees for certified copies of records required in matters of pension claims.	
Referred to committee.....	266	Referred to committee.....	346
Reported for amendment.....	313	Reported for passage.....	645
Amendment adopted.....	500	Passed; ayes 48, nays 0.....	611
Passed; ayes 37, nays 2.....	500	Signed by the president.....	702
Signed by the president.....	563	Signed by the governor.....	719
41 By Hanna. Making law as to aid to county fairs apply annually.		64 By Lake. Relating to the assessment of abutting property of the cost of street grading, amending Sec. 818.	
Referred to committee.....	497	Referred to committee.....	1152
Reported for passage.....	1091	Reported for ind. postponement.....	1535
Passed; ayes 39, nays 1.....	1272	Indefinitely postponed.....	1535
Signed by the president.....	1493	65 By Bradley. Relating to purchase of real estate for county purposes, amending Sec. 423.	
44 By Peters. To change the name of the Reformatory at Anamosa to "the Men's Reformatory."		Referred to committee.....	735
Referred to committee.....	377	Reported for passage.....	835
Reported for passage.....	543	Passed; ayes 39, nays 2.....	938
Passed; ayes 44, nays 0.....	588	Signed by the president.....	1035
Signed by the president.....	659	66 By Bradley. Increasing the amount which may be estimated as necessary for support of public schools.	
47 By Gunderson. Relative to payment of drainage assessments in installments.		Referred to committee.....	811
Referred to committee.....	319	Reported for passage.....	881
Reported for amendment.....	599	Passed; ayes 37, nays 0.....	980
Amendment adopted.....	741	Signed by the president.....	1035
Passed; ayes 35, nays 0.....	741	68 By Williams. Providing for the examination and certification of shorthand reporters for courts.	
Signed by the president.....	980	Referred to committee.....	397
49 By Moen. Fixing the bounty for adult wolf or fox \$10, cub \$4, lynx or wild cat \$1, amending Sec. 2348.		Reported for ind. postponement.....	579
Referred to committee.....	1087	Indefinitely postponed.....	579
Reported for passage.....	1583	Motion to reconsider.....	592
Failed to pass; ayes 16, nays 17.....	1647	Re-referred to committee.....	678
Motion filed to reconsider.....	1655	Recalled and re-referred.....	794
Motion prevailed.....	1768	Reported for ind. postponement.....	1726
Passed; ayes 26, nays 3.....	1768	Report rejected.....	1726
Signed by the president.....	1998	Passed; ayes 29, nays 12.....	1899
50 By Perkins. To legalize warrants and bonds of Sac City.		Signed by the president.....	2014
Referred to committee.....	267	70 By Gilmore. Authorizing payment for survey of drainage districts, to be paid for out of the county fund.	
Reported for amendment.....	288	Referred to committee.....	326
Amendment adopted.....	301	Reported for passage.....	544
Passed; ayes 42, nays 0.....	302	Passed; ayes 47, nays 0.....	612
Signed by the president.....	324	Signed by the president.....	702
53 By Davidson. Requiring a vote to approve expenditure for erection of a county home.		71 By Gilmore. To provide for issue of ditch warrants in connection with the drainage of highways.	
Referred to committee.....	538	Referred to committee.....	326
Reported for passage.....	911	Reported for passage.....	544
Passed; ayes 37, nays 0.....	999	Passed; ayes 46, nays 0.....	613
Signed by the president.....	1035	Signed by the president.....	702
54 By Santee. Providing a method for submitting to voters a proposal to establish a municipal court.		72 By Stone. Authorizing a tax levy to purchase fire station property.	
Referred to committee.....	283	Referred to committee.....	326
Reported for amendment.....	373	Reported for passage.....	544
Amendment adopted.....	505	Passed; ayes 46, nays 0.....	613
Passed; ayes 39, nays 0.....	504	Signed by the president.....	702
Signed by the president.....	563		

H. F.	Page	H. F.	Page
Referred to committee.....	537	94 By Moen. To forbid the cry-	
Reported for passage.....	1535	ing of sales of property by	
Amended.....	1743	certain non-residents.	
Passed; ayes 30, nays 11.....	1744	Referred to committee.....	497
Signed by the president.....	2014	Reported for passage.....	718
		Passed; ayes 39, nays 1.....	776
73 By Newton. To authorize		Signed by the president.....	871
condemnation of the bar-			
berry hedges.		96 By Smith. Making it unlaw-	
Referred to committee.....	267	ful to advertise remedies,	
Reported for passage.....	287	appliances, treatment, etc.,	
Passed; ayes 42, nays 0.....	292	for venereal diseases.	
Signed by the president.....	324	Referred to committee.....	639
		Reported for ind. postponement.....	1725
77 By Hansen. Providing that		Indefinitely postponed.....	1725
pension for a fireman shall			
commence when he actually		102 By Flenniken. Making it a	
retires from the department.		misdeameanor to display	
Referred to committee.....	229	carry or exhibit a red flag	
Reported for amendment.....	544	with the intent to advocate,	
Amendment adopted.....	566	encourage or incite anarchy	
Passed; ayes 37, nays 0.....	566	or treason.	
Signed by the president.....	659	Referred to committee.....	397
		Reported for passage.....	1595
84 By Weaver. Authorizing 5		Passed; ayes 45, nays 0.....	1618
per cent excess tax levy to		Signed by the president.....	1740
meet possible shortage.			
Referred to committee.....	357	103 By Gunderson. Increasing	
Reported for amendment.....	672	the amount which can be	
Amendment adopted.....	746	levied for a consolidated	
Passed; ayes 26, nays 7.....	746	school.	
Signed by the president.....	917	Referred to committee.....	769
		Reported for passage.....	1014
85 By Powers. Requiring the		Passed; ayes 39, nays 0.....	1173
teaching of a course of study		Signed by the president.....	1364
in citizenship and patriotism			
in public and private schools.		105 By Flindlay. Making the	
Referred to committee.....	602	pension law for survivors of	
Reported for amendment.....	1014	the Northern Border brigade	
Amendment adopted.....	1138	apply to their widows.	
Amended.....	1140	Referred to committee.....	377
Passed; ayes 37, nays 1.....	1140	Reported for amendment.....	672
Adopts amendment.....	2189	Re-referred.....	1172
Committee report adopted.....	2210	Reported for amendment.....	1632
Concurs in amendments.....	2211	Amendment adopted.....	1632
Signed by president.....	2319		
		107 By Temple. To appropriate	
86 By Morrow. Authorizing fee		for claim of Roy Harrison	
of \$5 for performing mar-		for personal injuries.	
riage ceremony, amending		Referred to committee.....	2088
Sec. 3152.		Re-referred.....	2133
Referred to committee.....	538	Reported for passage.....	2212
Reported for ind. postponement.....	880	Passed; ayes 35, nays 8.....	2291
Indefinitely postponed.....	880	Signed by the president.....	2307
88 By Perkins. Conferring upon		108 By Hauge. Increasing the	
cities and towns the au-		allowance by a county to a	
thority to adopt a budget		blind person from \$150 to	
system.		\$300 a year.	
Referred to committee.....	602	Referred to committee.....	639
Reported for passage.....	837	Reported for amendment.....	1423
Failed to pass; ayes 22, nays 22.....	943	Amendment adopted.....	1523
Motion filed to reconsider.....	958	Passed; ayes 41, nays 2.....	1524
Motion prevailed.....	1100	Signed by the president.....	1740
Passed; ayes 27, nays 17.....	1100		
Signed by the president.....	1364	110 By Weaver. To appropriate	
		for deficiency in the vo-	
89 By Justice. Revising fee		cational education fund.	
list for justices of the peace,		Referred to committee.....	497
amending Sec. 4597.		Reported for passage.....	580
Referred to committee.....	863	Re-referred.....	580
Reported for ind. postponement.....	1319	Reported for passage.....	967
Indefinitely postponed.....	1319	Passed; ayes 40, nays 0.....	1032
		Signed by the president.....	1104

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111 By Wormley. Increasing the tuition of non-resident pupils in approved high schools.		123 By Wormley. Requiring that a candidate whose name is written on a primary ballot must receive 10 per cent of the vote to be nominated.	
Referred to committee.....	602	Referred to committee.....	1088
Reported for passage.....	881	Reported for passage.....	1564
Passed; ayes 37, nays 2.....	981	Passed; ayes 39, nays 0.....	1756
Signed by the president.....	1035	Signed by the president.....	2014
116 By Clark. Amending the law as to police pensions, so that pensions are payable only on actual retirement.		130 By Williams. Extending the time in which a tax may be levied for beautifying a lake.	
Referred to committee.....	325	Referred to committee.....	497
Reported for passage.....	789	Reported for amendment.....	599
Passed; ayes 44, nays 1.....	819	Amendment adopted.....	654
Signed by the president.....	871	Passed; ayes 29, nays 4.....	683
117 By Mooty. Making it unlawful to use ferrets to kill or capture rabbits.		Signed by the president.....	917
Referred to committee.....	1152	131 By Williams. Relative to the tax levy for park improvement purposes.	
Reported for passage.....	1583	Referred to committee.....	537
Failed to pass; ayes 21, nays 23.....	1755	Reported for passage.....	789
118 By Parsons. Providing for removing roots and other obstructions from ditches.		Passed; ayes 33, nays 0.....	823
Referred to committee.....	517	Signed by the president.....	871
Reported for amendment.....	836	132 By Williams. Relating to proceedings in the establishment of inter-county drainage ditches.	
Amendment adopted.....	973	Referred to committee.....	376
Passed; ayes 38, nays 0.....	974	Reported for passage.....	717
Signed by the president.....	1443	Passed; ayes 30, nays 0.....	778
119 By Harrington. Relative to time of filing claims for labor and material used in construction of public buildings.		Signed by the president.....	917
Referred to committee.....	346	133 By Williams. Increasing the tax levy limit in certain cities for fire department purposes, amending Sec. 715-a.	
Reported for passage.....	717	Referred to committee.....	570
Passed; ayes 40, nays 0.....	777	Reported for passage.....	1290
Signed by the president.....	917	Passed; ayes 37, nays 0.....	1402
121 By Messer. Providing that exemption of personal earnings shall not apply to alimony or support of minor children.		Signed by the president.....	1493
Referred to committee.....	346	134 By Williams. Giving cities authority to provide for the "double platoon system" for members of the fire department.	
Reported for passage.....	499	Referred to committee.....	497
Re-referred.....	499	Reported for ind. postponement.....	540
Reported for amendment.....	717	Indefinitely postponed.....	540
Amendment adopted.....	717	Motion to reconsider filed.....	592
Amended.....	814	Re-referred.....	604
Passed; ayes 40, nays 5.....	814	Indefinitely postponed.....	790
Signed by the president.....	980	139 By Morgan. Making law as to construction of drains apply to storm sewers.	
122 By Dean. Increasing the appropriation for the special agents and attorneys under the Attorney General.		Referred to committee.....	538
Referred to committee.....	517	Reported for amendment.....	788
Reported for passage.....	596	Passed; ayes 31, nays 0.....	824
Amended.....	801	Signed by the president.....	917
Passed; ayes 31, nays 14.....	806	141 By Mantz. Providing for recording of decisions as to partition fences.	
Motion filed to reconsider.....	807	Referred to committee.....	497
Motion withdrawn.....	890	Reported for passage.....	578
Senate refuses to recede.....	2057	Passed; ayes 43, nays 0.....	652
Conference committee named.....	2114		
Adopt amendment.....	2211		
Signed by the president.....	2319		

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148 By Harrington. Making the law for organizing insurance companies other than life apply to live stock insurance, amending section 429.		187 By Durbin. Increasing the salary of the superintendent of the institute for feeble minded.	
Referred to committee.....	1812	Referred to committee.....	863
Reported for passage.....	2050	Substituted for S. F. 160.....	945
Passed; ayes 35, nays 0.....	2051	Passed; ayes 50, nays 0.....	945
Signed by the president.....	2188	Signed by the president.....	1035
154 By Epps. Declaring void motions for new trials which are not submitted within one year after the verdict.		189 By Oertel. Relating to the trust funds for cemeteries.	
Referred to committee.....	496	Referred to committee.....	538
Reported for ind. postponement.	718	Reported for passage.....	789
Indefinitely postponed.....	718	Passed; ayes 38, nays 12.....	826
165 By Wormley. Relative to the exemption from assessment of farm produce harvested by or for the owner.		Signed by the president.....	917
Referred to committee.....	705	190 By Lake. Making all peace officers entitled to free transportation by common carriers.	
Reported for passage.....	926	Referred to committee.....	1089
Amended.....	1017	Reported for passage.....	1292
Amendment adopted.....	1017	Amended.....	1433
Passed; ayes 32, nays 2.....	1018	Passed; ayes 35, nays 3.....	1434
Signed by the president.....	1353	Signed by the president.....	1643
168 By Scott of Marshall. Authorizing establishment of a municipal court in cities of 15,000 or over.		196 By Hauge. Relating to change of boundary lines of contiguous school districts.	
Referred to committee.....	735	Referred to committee.....	1006
Reported for passage.....	971	Reported for passage.....	1130
Re-referred.....	1033	Passed; ayes, 36, nays 0.....	1203
Reported for amendment.....	1049	Signed by the president.....	1364
Amendment adopted.....	1115	197 By Mantz. To authorize and regulate mutual insurance associations for physicians, druggists, dentists and nurses.	
Passed; ayes 43, nays 0.....	1115	Referred to committee.....	1659
Signed by the president.....	1493	Action deferred.....	2008
169 By Giltner. For the better protection of government established corners.		Passed; ayes 31, nays 12.....	2009
Referred to committee.....	1722	Signed by the president.....	2188
Reported for passage.....	2290	199 By Griffin. To legalize publication of certain notices of incorporation.	
Passed; ayes 38, nays 3.....	2290	Referred to committee.....	639
Signed by the president.....	2307	Reported for amendment.....	1255
170 By Giltner. Changing the fees and duties of coroners, witnesses and jurors.		Amendment adopted.....	1356
Referred to committee.....	849	Amended.....	1356
Reported for passage.....	1141	Passed Senate.....	1357
Amended.....	1240	Signed by the president.....	1575
Passed; ayes 30, nays 0.....	1240	201 By Epps. Providing a penalty for the willful destruction of food products.	
Signed by the president.....	1443	Referred to committee.....	1043
177 By Griffin. Relating to amendment of articles of incorporation of change or name.		Reported for passage.....	1162
Senate refers to sifting committee.....	1813	Passed; ayes 35, nays 14.....	1311
180 By Powers. To legalize district at Dow City.		Signed by the president.....	1643
Referred to committee.....	498	202 By Wilson of Mahaska. Relating to the costs for plans and specifications on highways across county boundary lines.	
Reported for passage.....	578	Referred to committee.....	1925
Passed; ayes 47, nays 0.....	627	Reported for passage.....	2020
Signed by the president.....	702	Amended.....	2020
		Passed; ayes 36, nays 0.....	2021
		Signed by the president.....	2301
		Signed by the president.....	754

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204 By O'Donnell. To legalize articles of the Hillcrest Deaconess Home and Baby Fold.		supply at the hospital for the insane at Cherokee \$23,000.	
Referred to committee.....	602	Referred to committee.....	908
Reported for passage.....	716	Reported for passage.....	1160
Passed; ayes 29, nays 0.....	755	Passed; ayes 35, nays 0.....	1242
Signed by the president.....	814	Signed by the president.....	1364
205 By Brown. Relating to levying taxes for equipment of fire departments.		217 By Clark. Relating to the compensation for judges and clerks of election.	
Referred to committee.....	1088	Referred to committee.....	1411
Reported for passage.....	1290	Reported for postponement.....	1730
Passed; ayes 23, nays 0.....	1444	Indefinitely postponed.....	1730
Signed by the president.....	1575	218 By Flenniken. Relating to jurisdiction in matters of the escape of prisoners.	
206 By LeValley. Increasing the appropriation in aid of normal training schools.		Referred to committee.....	769
Referred to committee.....	811	Reported for passage.....	971
Reported for amendment.....	1536	Passed; ayes 39, nays 0.....	1033
Amendment adopted.....	1639	Signed by the president.....	1104
Passed; ayes 30, nays 0.....	1639	222 By Griffin. Relating to the appropriation for support of the dairy and food department.	
Signed by the president.....	1899	Referred to committee.....	1812
208 By Messer. Relating to appointment of officers in cities and towns.		Reported for passage.....	2024
Referred to committee.....	1089	Passed; ayes 32, nays 0.....	2025
Reported for passage.....	1290	Signed by the president.....	2188
Passed; ayes 34, nays 0.....	1403	224 By Larson of Montgomery. Requiring public contractors to furnish bonds, and fixing the conditions of the bonds.	
Signed by the president.....	1493	Referred to committee.....	1412
209 By Holloway. To increase to \$2 the fee for attendance as a witness.		Reported for ind. postponement.....	1658
Referred to committee.....	769	Indefinitely postponed.....	1658
Reported for passage.....	778	Motion filed to reconsider.....	1674
Report adopted.....	844	Motion prevails.....	1743
Passed; ayes 40, nays 1.....	845	Amended.....	2016
Signed by the president.....	917	Passed; ayes 30, nays 2.....	2017
213 By Moorhead. Increasing compensation of mayor in a special charter city to \$2,500.		Signed by the president.....	2188
Referred to committee.....	811	225 By Gunderson. To prevent the spread of hog cholera and other animal diseases.	
Reported for passage.....	1291	Referred to committee.....	1411
Passed; ayes 31, nays 0.....	1460	Reported for passage.....	1503
Signed by the president.....	1643	Passed; ayes 32, nays 13.....	1737
214 By Moorhead. Increasing compensation of aldermen in a special charter city to \$1,200.		Signed by the president.....	1998
Referred to committee.....	829	227 By Mayne. Extending authority for sale or lease of certain lake beds.	
Reported for passage.....	1291	Referred to committee.....	768
Passed; ayes 31, nays 4.....	1460	Reported for passage.....	1261
Signed by the president.....	1643	Passed; ayes 34, nays 3.....	1569
218 By Davidson. Giving cities authority to erect memorials or memorial buildings.		Signed by the president.....	1740
Referred to committee.....	1006	228 By Griffin. Revising the law as to improving water courses within cities to prevent danger from floods.	
Reported for passage.....	1292	Referred to committee.....	1089
Amended.....	1401	Reported for passage.....	1533
Passed; ayes 38, nays 0.....	1402	Amended.....	1745
Signed by the president.....	1643	Passed; ayes 38, nays 0.....	1745
216 By Lockin. To appropriate for completing the water		Signed by the president.....	

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232	By Klaus. To provide fees for hospital service for indigent persons, over 16 years of age, at the state university hospital.	248	By Wichman. To legalize certain issues of bonds for school purposes.
	Referred to committee..... 704		Referred to committee..... 704
	Substitute for S. F..... 946		Reported for passage.....1257
	Passed; ayes 42, nays 0..... 946		Passed; ayes 42, nays 0.....1395
	Signed by the president.....1035		Signed by the president.....1493
233	By Klaus. Relating to schools where attendance is small and the powers of the county superintendents relating thereto.	249	By Rogers. Forbidding the governor to grant pardon without submitting the matter to the parole board.
	Referred to committee..... 863		Referred to committee.....
	Reported for passage.....1051		Reported for passage.....1335
	Action deferred.....1116		Passed; ayes 41, nays 1.....1555
	Amended.....1224		Signed by the president.....1643
	Amendment adopted.....1225	251	By Smith. Providing for additional funds for the use of park commissions and the issue of bonds.
	Passed; ayes 34, nays 2.....1225		Referred to committee.....1283
	Signed by the president.....1493		Reported for passage.....1634
234	By Mayne. Providing that a reversal of a criminal case by the supreme court shall operate as an order for a new trial.		Passed; ayes 27, nays 1.....1983
	Referred to committee..... 682		Signed by the speaker.....2144
	Reported for passage.....1011	252	By Stone. Providing for issue of city or town hall bonds.
	Passed; ayes 30, nays 8.....1173		Referred to committee.....1088
	Signed by the president.....1364		Reported for passage.....1534
237	By Moen. Amending law as to time of filing liens on public work, amending section 3102.		Passed; ayes 38, nays 0.....1748
	Referred to committee.....1412		Signed by the president.....1998
	Reported for amendment.....1504	253	By Moore and McFarlane. Removing hotel and restaurant kitchens from the application of the law in regard to the dairy and food commission.
239	By Davidson. Relating to the petition and notice to sell real estate.		Referred to committee.....1124
	Referred to committee.....1153		Reported for passage.....1387
	Reported for passage.....2045		Passed; ayes 47, nays 0.....1614
	Failed to pass; ayes 13, nays 26.2113		Signed by the president.....1740
242	By Bradley. To issue patent to Frank Schultz for land in Poweshiek county.	255	By Moore and McFarlane. Relating to the inspection and licensing of hotels.
	Referred to committee..... 749		Referred to committee..... 736
	Reported for passage.....1256		Committee reports recommending return to House for engrossment.....1195
	Committee report adopted.....1357		Returned to senate from house.....1224
	Passed; ayes 32, nays 0.....1357		Reported for amendment.....1235
	Signed by the president.....1493		Amendment adopted.....1392
243	By Langfitt. To appropriate for special purposes at the state university and state college.		Passed; ayes 43, nays 0.....1394
	Referred to committee.....2201		Signed by the president.....1670
	Reported for passage.....2247	257	By Neff. Relating to the attendance of children at the school for the deaf.
	Passed; ayes 41, nays 0.....2288		Referred to committee.....1002
	Signed by the president.....2307		Recommended passage.....1159
245	By Scott of Marshall. Relating to rules of admission to the soldiers' home.		Passed; ayes 34, nays 0.....1243
	Referred to committee..... 705		Signed by the president.....1364
	Reported for ind. postponement. 867	260	By Committee on Agriculture. Revision of the law as to organization of farm improvement associations.
	Report rejected..... 867		

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Passed on file.....	682
Amended .....	713
Passed; ayes 42, nays 7.....	713
Signed by the president.....	754
261 By Hauge. Requiring candidates where there is more than two offices to be filled, to elect which candidate they shall oppose.	
Referred to committee.....	1250
Reported for ind. postponement.....	1387
Indefinitely postponed .....	1387
262 By Hauge. Relating to clerks of the grand jury and their appointment.	
Referred to committee.....	1283
Reported for ind. postponement.....	1729
Report rejected .....	1729
Passed; ayes 41, nays 0.....	1740
Signed by the president.....	2014
264 By Klaus. Amending as to juvenile courts and their jurisdiction over neglected children.	
Referred to committee .....	1283
Reported for passage.....	1534
Passed; ayes 43, nays 0.....	1749
Signed by the president.....	1998
265 By Wichman. Increasing the mileage allowed members of the board of education.	
Passed on file.....	908
Substituted for S. J. 233.....	946
Passed; ayes 42, nays 0.....	946
Signed by the president.....	1035
266 By Francis. Relating to temporary sidewalks.	
Referred to committee.....	1087
Reported for passage .....	1290
Passed; ayes 33, nays 0.....	1438
Signed by the president.....	1575
268 By Gunderson. Providing for publication of financial statement regarding a county home.	
Referred to committee.....	1125
Reported for passage .....	1318
Failed to pass; ayes 17, nays 12.....	1442
Motion filed to reconsider.....	1454
Reconsidered .....	1754
Amended .....	1754
Passed; ayes 39, nays 0.....	1755
Signed by the president.....	2014
269 By Sterling. Relating to fees paid appraisers of damages and commissions to assess benefits.	
Referred to committee.....	811
Reported for passage.....	880
Passed; ayes 37, nays 0.....	983
Signed by the president.....	1035
272 By Neff and Williams. To appropriate for paving road at the school for the deaf, \$22,000.	

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Referred to committee.....	1500
Reported for amendment.....	1952
Amendment adopted .....	2108
Passed; ayes 31, nays 0.....	2109
Signed by the president.....	2319
274 By Epps. Indicating in detail the causes for removal from office of certain county officials, substituting for section 1258c.	
Referred to committee .....	1151
Reported for ind. postponement.....	1422
Indefinitely postponed .....	1422
275 By Morrow. Giving the board of supervisors authority to fix salaries of deputy county superintendents.	
Referred to committee.....	1500
Reported for passage.....	1682
Sifting committee reports.....	2019
Committee report adopted.....	2019
Passed; ayes 32, nays 1.....	2019
Signed by the president.....	2135
279 By Larson of Montgomery. Relating to emergency repairs on roads.	
Reported for passage.....	1586
Sent to sifting committee.....	
283 By Hook. To provide a way to designate libraries as soldiers memorials and for joint county support.	
Referred to committee.....	1328
Reported for passage.....	1649
Passed; ayes 42, nays 0.....	1893
Signed by the president.....	2014
284 By Parsons. Relating to filing and preserving engineers' original notes of surveys of drainage districts.	
Referred to committee .....	769
Reported for passage.....	1093
Passed; ayes 44, nays 0.....	1273
Signed by the president.....	1493
289 By Larson of Montgomery. Relating to the time when mechanics liens may be filed and perfected.	
Referred to committee .....	1774
290 By Garber of Decatur. Extending time when ex-soldiers may attend public schools.	
Referred to committee.....	1089
Reported for passage.....	1393
Passed; ayes 44, nays 0.....	1406
Signed by the president.....	1575
293 By Williams. Relating to the manner of giving notice of inclusion of property in a drainage district.	



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Referred to committee.....		312 By Harrington. Relating to the amount which may be appropriated for building of bridges.	
Reported for passage.....	1049	Referred to committee.....	1813
Committee report adopted.....	1189	Passed; ayes 33, nays 17.....	2110
Amended.....	1188	Signed by the president.....	2188
Passed; ayes 26, nays 0.....	1189	213 By Mills. Providing for establishment of levee and drainage district.	
Signed by the president.....	1493	Referred to committee.....	1181
294 By Joint Committee on Banks. To authorize state and savings banks to make and execute bankers acceptances of drafts, etc.		Reported for ind. postponement.....	1724
Referred to committee.....	691	Indefinitely postponed.....	1724
Amended.....	893	Recalled from house.....	2187
Passed; ayes 46, nays 0.....	894	Passed; ayes 31, nays 0.....	2209
Signed by the president.....		Signed by president.....	
295 By Joint Committee on Banks. To revise the banking laws with regard to the number of savings bank directors.		314 By Lake. To appropriate to John Miller, as a member of the Delaware County Guards, \$457.60.	
Amendment adopted.....	687	Referred to committee.....	1501
Passed; ayes 38, nays 0.....	687	Reported for passage.....	2249
Signed by the president.....	917	Passed; ayes 26, nays 0.....	2301
296 By Joint Committee on Banks. Applying the law as to state and savings bank reserves to all banks.		Signed by the president.....	2307
Passed on file.....	694	317 By Walrath. Relating to taking private property for fair ground purposes.	
Amended.....	890	Referred to committee.....	1559
Substituted for S. F. 266.....	890	Reported for passage.....	2090
Passed; ayes 42, nays 0.....	890	Passed; ayes 36, nays 0.....	2090
Signed by the president.....		Signed by the president.....	2135
302 By Springer. Remodeling the county board of education and providing for selection of members of a county educational committee.		318 By Committee on board of Control. Relative to the requirements of patients for admission to the sanitarium for tuberculosis.	
Referred to committee.....	736	Referred to committee.....	769
Reported for amendment.....	764	Reported for passage.....	1143
Amendment adopted.....	772	Passed; ayes 43, nays 0.....	1274
Amended.....	772	Signed by the president.....	1643
Passed; ayes 40, nays 0.....	772	319 By Hansen. Giving a mayor in a special charter cities, the right of voting in case of a tie on the council.	
Signed by the president.....	917	Referred to committee.....	1152
303 By Santee. Providing number of judges of municipal court and other details.		Reported for passage.....	1289
Referred to committee.....	1151	Amended.....	1461
Reported for passage.....	1289	Passed; ayes 39, nays 0.....	1462
Passed; ayes 42, nays 0.....	1407	Signed by the president.....	1670
Signed by the president.....	1575	322 By Flindlay. Relating to the report of trustees of libraries as to the number of books.	
305 By Hauge. Relating to the manner of securing juries.		Referred to committee.....	1152
Referred to committee.....	1126	Reported for passage.....	1610
Reported for ind. postponement.....	1255	To sifting committee.	
Indefinitely postponed.....	1255	325 By Miller of Boone. To provide for an electrical system for registration of votes of the members of the house.	
307 By Finch. Relating to the lien of landlords and other bailees.		Referred to committee.....	1327
Referred to committee.....	1126	Re-referred.....	1530
Reported for ind. postponement.....	1504	Reported for passage.....	1608
Indefinitely postponed.....	1504	Passed; ayes 25, nays 11.....	2110
Motion to reconsider prevails.....	1514	Motion to reconsider.....	1117
Amended.....	1644		
Passed; ayes 37, nays 0.....	1644		
Signed by the president.....	1899		

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Reconsidered .....	2151	Referred to committee.....	1253
Passed; ayes 40, nays 5.....	2151	Reported for passage.....	1593
Signed by president .....	2301	Reported for amendment.....	2049
326 By Dean. Relating to the issue of drainage bonds for districts heretofore organ- ized.		Passed; ayes 37, nays 0.....	2049
		Signed by the president.....	2301
Referred to committee.....	1125	345 By Powers. Relating to the cancellation of a judgment of record.	
Reported for passage.....	1259	Referred to committee.....	1125
Amended .....	1358	Reported for passage .....	1385
Passed; ayes 40, nays 0.....	1359	Passed; ayes 34, nays 0.....	1735
Signed by the president.....	1493	Reconsidered .....	1737
332 By Hook. Relative to the fee for the examination of teachers.		Amended .....	1737
		Passed; ayes 41, nays 0.....	1737
Referred to committee .....	1088	Signed by the president.....	
Passed; ayes 35, nays 0.....	1348	346 By Neff. Providing for quarantine of any infectious or contagious disease in the discretion of state board of health.	
Signed by the president.....	1575	Received and considered.....	1070
335 By Knickerbocker and Hol- loway. To establish a live stock sanitary board and making an appropriation for the eradication of tuber- culosis.		Passed; ayes 41, nays 2.....	1070
		Signed by the president.....	1104
Referred to committee .....	1812	347 By Weaver. Appropriation for the care and comfort of Iowa returning soldiers and sailors.	
Committee reports .....	1952	Referred to committee .....	1153
Passed; ayes 41, nays 3.....	1974	Reported for amendment.....	1881
Reconsidered and passed; ayes 30, nays 0 .....	2015	Amendment adopted .....	1962
Senate requests return of.....	1996	Passed; ayes 39, nays 0.....	1962
Signed by the president.....	2188	Signed by the president.....	
336 By Slosson. Requiring telephone companies to make connections between different companies.		350 By Perkins. Relating to the compensation of commis- sioners of insanity.	
Referred to committee .....	1254	Referred to committee.....	1125
Re-referred .....	1733	Reported for ind. postponement.....	1318
337 By Hauge. To pension sur- vivors of the frontier guards of Mitchell's Cavalry.		Indefinitely postponed .....	1319
Referred to committee .....	1729	351 By Edson. Relating to the filling of vacancies on the board of directors of school corporations.	
Reported for ind. postponement.....	1882	Referred to committee.....	1124
Indefinitely postponed .....	1882	Reported for passage .....	1194
342 By Holloway. Increasing the annual appropriation for state aid to consolidated schools.		Passed; ayes 42, nays 0.....	1350
Referred to committee .....	1627	Signed by the president.....	1493
Reported for passage.....	1882	357 By Clark. Authorizing the issuance of sewer bonds by cities.	
Passed; ayes 31, nays 0.....	1973	Referred to committee.....	1529
Signed by the president.....	2135	Reported for passage.....	1680
343 By Scott of Marshall. Re- lating to the compensation of county attorneys.		Passed; ayes 27, nays 0.....	1767
Referred to committee .....	1250	Signed by the president.....	1998
Reported for passage .....	1424	358 By Clark. Relating to the limitation of indebtedness which may be incurred and the issuance of bonds.	
Amended .....	1597	Referred to committee .....	1529
Passed; ayes 35, nays 10.....	1598	Reported for passage.....	1680
Signed by the president.....	1899	Passed; ayes 27, nays 1.....	1950
344 By Findlay. Relating to the qualifications for persons receiving professional teach- ers certificates.		Signed by the president.....	2014
		361 By Becker. Relating to the fee to be paid by the holder of a foreign certificate as a pharmacist.	

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Referred to committee .....	1182	Referred to committee .....	1500
Reported for passage .....	1323	Reported for passage .....	1593
Passed; ayes 39, nays 0 .....	1463	Reported for passage .....	2045
Signed by the president .....	1643	Passed; ayes 31, nays 0 .....	2114
362 By Williams. Providing for the compilation of a roster of Iowa soldiers and publi- cation of the same by a commission.		354 By Miller of Dubuque. Re- lating to the equalization of taxes by township trustees.	
Referred to committee .....	1723	Referred to committee .....	1559
Reported for amendment .....	2313	Reported for passage .....	1685
Amended .....	2322	Passed; ayes 37, nays 0 .....	1763
Passed; ayes 34, nays 0 .....	2322	Signed by the president .....	2014
Signed by the president .....	2307	385 By Miller of Boone. Legal- izing certain ordinances of the town of Madrid.	
363 By Wichman. Relating to the fees to be paid persons called as jurors.		Referred to committee .....	1151
Referred to committee .....	1125	Reported for passage .....	1258
Reported for postponement .....	1255	Passed; ayes 41, nays 0 .....	1396
Indefinitely postponed .....	1255	Signed by the president .....	1493
365 By Committee on Banks and Banking. To prohibit the receiving of commissions, etc., for organizing a bank or securing subscriptions to stock.		386 By Edson. To appropriate for the protection of the banks of Storm Lake.	
Passed on file .....	1043	Referred to committee .....	1774
Amended .....	1055	Re-referred .....	2219
Passed; ayes 32, nays 6 .....	1055	Reported for passage .....	2320
Signed by the president .....	1493	Failed; ayes 21, nays 18 .....	2342
366 By Sorlien. Legalizing the formation of a school dis- trict at Bode, Humboldt county.		389 By Hauge. Relating to the pay of jurors in municipal courts.	
Received by senate .....	749	Referred to committee .....	1124
Passed; ayes 32, nays 0 .....	750	Reported for passage .....	1291
Signed by the president .....	757	Passed; ayes 34, nays 0 .....	1432
368 By Rogers. Relating to rules and regulations cov- ering paroles.		Signed by the president .....	1575
Referred to committee .....	1588	391 By Peters. To legalize cer- tain warrants of the city of Perry.	
Reported for ind. postponement .....	1809	Referred to committee .....	1125
Indefinitely postponed .....	1809	Reported for passage .....	1432
372 By Wilson. To issue patent for land in Mahaaka county.		Passed; ayes 29, nays 0 .....	1523
Sifting committee reports .....	2128	Signed by the president .....	1643
Passed; ayes 36, nays 2 .....	2129	392 By Hook. Relating to com- munity center houses and recreation grounds.	
Signed by the president .....	2301	Referred to committee .....	1153
375 By Griffin. Declaring valid decrees of divorce where defects in the record have been made.		Reported for passage .....	1290
Referred to sifting committee .....	1945	Passed; ayes 35, nays 1 .....	1442
376 By Committee on Military. Adopting a state emblem for the state of Iowa.		Signed by the president .....	1670
Referred to committee .....	1087	394 By Santee. Pensions for the Southern Border Brigade of Iowa, same as for the Northern Border Brigade.	
Reported for passage .....	1191	Referred to committee .....	1945
Taken from calendar .....	1413	397 By Clark. Authorizing the use of a coop with which to shadow the water in taking fish through the ice.	
Senate refuses to consider .....	1413	Referred to committee .....	1992
382 By Hook. Relating to the duties of county superin- tendents.		Requests return of .....	1992
		398 By Clark. To regulate loan companies and to authorize examination of such com- panies.	

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Referred to committee.....	1254	418 By Clark. Amending the	
Substituted for S. F. 368.....	1296	law in regard to the pass-	
Passed; ayes 42, nays 3.....	1297	age of ordinances by town	
Signed by the president.....	1575	and city councils.	
403 By Hauge. Increasing the		Referred to committee.....	1411
pay of judges and other of-		Reported for passage.....	1633
ficers of the municipal		Passed; ayes 31, nays 1.....	1762
courts.		Signed by the president.....	2014
Referred to committee.....	1412	419 By Oertel. Relating to the	
Reported for passage.....	1633	issuance of warrants in spe-	
Sifting committee receives.		cial charter cities.	
407 By Committee on Public		Referred to committee.....	1321
health. To appropriate for		Reported for passage.....	1535
the use of the executive		Passed; ayes 42, nays 0.....	1750
council in case of emer-		Signed by the president.	
gencies in health matters		420 By Anderson. Relating to	
due to epidemics.		electric light and power	
Referred to committee.....	1282	transmission lines.	
Reported for substitute.....	1607	Referred to committee.....	1559
Motion to lay on table.....	1907	Reported for passage.....	2017
409 By O'Donnell and Miller.		Amended.....	2017
To legalize transfer of cer-		Passed; ayes 35, nays 0.....	2018
tain funds of the city of		Signed by the president.....	2301
Dubuque from one fund to		423 By Miller of Boone. Re-	
another.		lating to the feeding and	
Referred to committee.....	863	care of county prisoners.	
Reported for passage.....	1131	Referred to committee.....	1253
Passed senate; ayes 33, nays 0.	1341	Reported for passage.....	1592
Signed by the president.....	1364	Passed; ayes 39, nays 1.....	1761
410 By Beeman and Francis.		Signed by the president.....	2017
Forbidding a school board to		424 By Miller of Boone. Re-	
contract with a teacher for		lating to acknowledgments.	
any period of a school year		Referred to committee.....	1181
for which the teacher is al-		Reported for ind. postponement.	1341
ready under contract.		Indefinitely postponed.....	1341
Referred to committee.....	1501	425 By Powers. Relating to the	
Reported for passage.....	1593	amount of taxes that may	
Passed; ayes 37, nays 0.....	1999	be levied for making and	
Signed by the president.....	2135	repairing bridges.	
414 By Sterling. Providing for		Referred to committee.....	1254
the keeping of a record of		Sent to sifting committee.....	1685
holders of drainage war-		430 By Edgington. Relating to	
rants and notification.		the apportionment of cost	
Referred to committee.....	1181	between drainage districts	
Reported for passage.....	1339	for care of drains.	
Passed; ayes 35, nays 0.....	1449	Referred to committee.....	1723
Signed by the president.....	1575	Reported for passage.....	2246
416 By O'Donnell. Relating to		Passed; ayes 31, nays 7.....	2246
liability of estates for care		Signed by the president.....	2307
of insane in a poorhouse or		431 By Lockin. Relating to the	
any private hospital or sani-		reversion of school sites.	
tarium.		Referred to committee.....	1627
Referred to committee.....	1384	Reported for passage.....	1681
Reported for passage.....	1633	Passed; ayes 37, nays 0.....	1998
Reported for passage.....	2022	Signed by the president.....	2188
Passed; ayes 33, nays 2.....	2022	433 By Committee on Public	
Signed by the president.....	2135	health. Authorizing de-	
417 By Slaughter. To increase		partment in all public hos-	
the compensation of the		pitals for the care and	
chief oil inspector and his		treatment of tuberculosis.	
stenographer.		Referred to committee.....	1126
Referred to committee.....	2201	Reported for amendment.....	1607
Reported for passage.....	2247		
Passed; ayes 26, nays 5.....	2324		
Signed by the president.....	2307		

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Amendment adopted .....	1905	452 By Epps. Requiring con-	
Passed; ayes 38, nays 0.....	1906	tractors to keep public im-	
Signed by the president.....	2301	provements on streets in	
		repair for ten years.	
434 By Wichman. Relating to		Referred to committee .....	1282
the deposit of public funds		S. F. 321 substituted for.....	1521
by cities and towns and the		Reported for passage .....	1534
payment of interest thereon.		Passed; ayes 26, nays 0.....	1635
Referred to committee .....	1457	Signed by the president.....	1899
Reported for passage.....	1679		
435 By Clark. The selection		453 By Mayne. Legalizing as	
and drawing of petit jurors		to drainage district in Palo	
and talesmen for superior		Alto County.	
courts.		Referred to committee.....	1180
Received in senate.....	1378	Reported for passage.....	1385
Reported for passage.....	1609	Passed; ayes 30, nays 0.....	1441
Passed; ayes 31, nays 0.....	1765	Signed by the president.....	1643
Signed by the president.....	2014		
436 By Clark. Relating to su-		456 By Peters. To legalize cer-	
perior court jurors and the		tain warrants and sale of	
manner of selection of the		bonds for Adel.	
same.		Referred to committee .....	1181
Referred to committee .....	1153	Reported for passage .....	1259
Reported for passage .....	1609	Passed; ayes 32, nays 0.....	1400
Passed; ayes 31, nays 0.....	1766	Signed by the president.....	1575
Signed by the president.....	1998		
437 By Findlay. To fix the		458 By Springer. To legalize	
hours of labor of females		the purchase of pumping	
and compensation thereof		machinery for drainage dis-	
and to regulate all labor		trict in Louisa county.	
where females are employed.		Referred to committee .....	1208
Referred to sifting committee..	2242	Reported for passage.....	1329
		Passed; ayes 37, nays 0.....	1437
439 By Peters. Legalizing cer-		Signed by the president.....	1643
tain warrants and sale of			
bonds for the town of Dal-		459 By Nebiker. To legalize	
las Center.		a school bond election in	
Referred to committee .....	1180	Des Moines County.	
Reported for passage.....	1384	Referred to committee.....	1152
Passed; ayes 33, nays 0.....	1451	Reported for passage .....	1259
Signed by the president.....	1575	Passed; ayes 41, nays 0.....	1397
		Signed by the president.....	1493
441 By Weaver. Increase in the		463 By Griffin. To provide	
amount of financial aid		method of serving notice to	
which may be granted to		quit in cases where the	
widowed mothers.		tenant cannot be found on	
Referred to committee.....	1412	the premises.	
Reported for amendment.....	1592	Referred to sifting committee..	1946
Re-referred .....	1595		
Reported for ind. postponement.	1730	464 By Griffin. To provide for	
Indefinitely postponed .....	1730	the compensation of bailiffs	
		of district court.	
446 By Wormley. Relating to		Referred to committee .....	1500
hunting upon a railroad		Reported for passage .....	1687
right of way.			
Referred to committee .....	1457	466 By Vander Ploeg. For a	
Reported for ind. postponement.	1586	land patent for Homer Clark	
Indefinitely postponed .....	1730	in Marion County.	
		Referred to committee .....	1282
448 By Hook. Requiring a		Reported for passage.....	1340
school officer to be of age		Passed; ayes 36, nays 0.....	1439
and a citizen and author-		Signed by the president.....	1575
izing appointment of a			
school treasurer outside the		467 By Larson of Montgomery.	
district.		Relating to the care of	
Referred to committee.....	1283	friendless children and	
Reported for passage .....	1682	legalizing the surrender of	
		the children to certain so-	
		cieties.	

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Referred to committee	1529	Passed; ayes 35, nays 0	1362
Reported for passage	1686	Signed by the president	1493
To sifting committee.			
469 By Epps. Providing for taking fish with pole and line at any time where used for food.		496 By Ulstad. Relating to the duties of township clerks and the deposit of funds by them.	
Referred to sifting committee.		Referred to committee	1284
470 By Santee. Providing for consolidation of voting precincts into registration districts in cities.		Reported for amendment	1592
Referred to committee	1182	Substituted for S. F. 354	1659
Reported for passage	1337	Amendment adopted	1659
Passed; ayes 36, nays 0	1429	Passed; ayes 40, nays 1	1660
Signed by the president	1643	Signed by the president	2014
471 By Santee. Legalizing certain acknowledgments taken in countries other than the United States.		497 By Becker. Relating to the traveling expenses of the secretary and treasurer of pharmacy commission.	
Referred to committee	1180	Referred to committee	1209
Reported for amendment	1385	Reported for passage	1324
Amendment adopted	1439	Passed; ayes 41, nays 0	1464
Passed; ayes 36, nays 0	1329	Signed by the president	1670
Signed by the president	1643	500 By Messer. Relating to the division of a drainage district after one has been authorized.	
479 By Westervelt. Authorizing the issue of a patent for land in Greene County.		Referred to committee	1945
Referred to committee	1154	Reported for passage	2054
Reported for passage	1320	Passed; ayes 38, nays 2	2055
Passed; ayes 37, nays 0	1436	Signed by the president	2188
Signed by the president	1575	501 By Messer. Pertaining to instruction of juries and the manner of asking for special instructions.	
482 By Moen. Relating to claims for damages for killing or injury of domestic animals.		Referred to committee	1153
Referred to committee	1500	Reported for postponement	1259
Reported for amendment	1632	Indefinitely postponed	1259
Reported for passage	2045	502 By Alderman. To appropriate for a cottage for the training school for girls at Mitchellville.	
Amended	2051	Referred to committee	1153
Failed; ayes 8, nays 25	2052	Reported for passage	1398
484 By Edson. Relating to the use of the contingent fund for the purpose of school supplies.		Passed; ayes 37, nays 0	1514
Referred to committee	1540	Signed by the president	1670
Reported for passage	1682	510 By Newton. To provide a warning card to be placed on any house regarding communicable disease.	
Amendment filed	1718	Referred to committee	1284
Sifting committee recommends passage	2045	Reported for ind. postponement	1406
Passed; ayes 26, nays 4	2087	Indefinitely postponed	1607
Signed by the president	2188	Motion filed to reconsider	1629
494 By Clark. Relating to pensions for disabled and retired policemen.		Motion prevails	1906
Referred to committee	1327	Amended	1909
Reported for amendment	1634	Action deferred	1909
Sifting committee reports	2085	Passed; ayes 33, nays 0	1981
Passed; ayes 28, nays 0	2085	Signed by the president	2301
Signed by the president	2188	511 By Davidson. Relating to the time persons may live together subsequent to the date for filing a decree of divorce.	
495 By Clark. Legalizing the official acts of notaries public.		Referred to committee	1283
Referred to committee	1208	Reported for postponement	1504
Reported for passage	1259	Indefinitely postponed	1504

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516 By Clark. Relating to selling or donating for county seat purposes land belonging to a city or town.		536 By Committee on Public Health. Relating to care of persons afflicted with tuberculosis.	
Referred to committee.....	1254	Referred to committee.....	1253
Passed; ayes 41, nays 0.		Reported for amendment.....	1606
Signed by the president.....	1443	Amendment adopted.....	1907
523 By Scott of Marshall. Relating to health, accident and liability insurance.		Passed; ayes 39, nays 1.....	1907
Referred to committee.....	1813	Signed by the president.....	2188
Reported for passage.....	2045	537 By Committee on Judiciary. To provide for the recording of discharge papers of soldiers without expense.	
Amended.....	2116	Passed on file.....	1001
Passed; ayes 35, nays 3.....	2116	Passed; ayes 43, nays 7.....	1001
Signed by the president.....	2319	Signed by the president.....	1034
526 By Hauge. To confer additional powers on cities in regard to city waterworks.		538 By Committee on Agriculture. Revision of the law as to labeling, buying, selling and testing of agricultural seeds.	
Referred to committee.....	1722	Referred to sifting committee....	1814
Reported for passage.....	2043	540 By Committee on Judiciary. Relating to witnesses and exemption from prosecution.	
Passed; ayes 39, nays 0.....	2115	Amended.....	1064
Signed by the president.....	2188	Passed; ayes 43, nays 0.....	1065
528 By Lake. Increasing the annual appropriation for paying expenses of inspecting institutions in which insane persons are kept.		Signed by the president.....	1104
Referred to committee.....	1282	541 By Committee on Judiciary. Relating to the grand jury and its clerk.	
Reported for passage.....	1882	Passed; ayes 44, nays 0.....	1065
Passed; ayes 32, nays 2.....	1963	Signed by the president.....	1104
Signed by the president.....	2135	544 By Committee on Railroads. To require every railroad to maintain and operate spur tracks in connection with any mill, elevator, etc.	
529 By Wormley. Providing for surveys authorized by congress and the rights of persons engaged in such surveys.		Referred to committee.....	1588
Referred to committee.....	1991	Reported for passage.....	1633
Committee reports.....	2168	Amended.....	2040
Passed; ayes 40, nays 0.....	2169	Failed to pass; ayes 24, nays 18.....	2041
Signed by the president.....	2319	Motion filed to reconsider.....	2044
533 By LeValley. Appropriating for aid to the farmers' institute of Franklin county.		546 By Committee on Insurance. Defining group life insurance and authorizing the issue of policies for such insurance.	
Referred to committee.....	1457	Referred to committee.....	1530
Reported for amendment.....	1536	Substituted for S. F. 490.....	1579
Amendment adopted.....	1640	Passed; ayes 42, nays 0.....	1580
Passed; ayes 37, nays 0.....	1640	Signed by the president.....	1740
Signed by the president.....	1859	547 By Committee on Insurance. Regulating the investment of the assets of insurance companies and providing compensation for examiners.	
534 By LeValley. Including goats and poultry in the law forbidding false pedigrees in live stock.		Substituted for S. F. 489.....	1806
Referred to committee.....	1282	Passed; ayes 33, nays 3.....	1806
Reported for passage.....	1564	Motion filed to reconsider.....	1917
Passed; ayes 37, nays 2.....	1903	Motion prevails.....	1961
Signed by the president.....	2014	Amended.....	1961
535 By Committee on Municipal Corporations. Relating to elections to authorize the construction of a municipal building.		Passed; ayes 38, nays 0.....	1962
Referred to committee.....	1152	Signed by the president.....	2188
Reported for passage.....	1289		
Passed; ayes 36, nays 0.....	1431		
Signed by the president.....	1575		

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548	By Committee on Roads and Highways. Revision of the general road law, and providing for co-operation with the federal government in road building.	Referred to committee.....	1926
	Passed on file.....	Considered .....	2201
	Passed; ayes 38, nays 11.....		
	Signed by the president.....		
1629		564	By Sifting Committee. Extending the term of office of the state document editor from two to four years.
1818			Referred to committee.....
1998			Committee reports .....
550	By Committee on Motor Vehicles. To revise as to issue of motor vehicle licenses and provide that the work be done through county treasurers.		2045
	Referred to committee.....		Passed; ayes 49, nays 1.....
	Amended .....		Reported correctly enrolled.....
	Action deferred .....		Signed by the president.....
	Amended .....		2301
	Passed; ayes 34, nays 11.....	565	By Sifting Committee. Relating to use of exhaust steam from municipal water plants in making of ice.
	Reported for amendments.....		Referred to committee.....
	Signed by the president.....		Committee reports .....
1777			Passed; ayes 37, nays 0.....
1938			Signed by the president.....
1940			2301
1946		566	By Sifting Committee. For a tax to aid in reconstruction of an abandoned railroad, tax not to exceed 5 per cent.
1949			Referred to committee.....
2117			Committee reports .....
2301			Passed; ayes 38, nays 0.....
553	By Committee on Insurance. Relating to the form of certificates on the limited payment plan by fraternal insurance associations.		Signed by the president.....
	Referred to committee.....		2029
	Substituted for S. F. 497.....		Committee reports .....
	Passed; ayes 34, nays 0.....		Passed; ayes 38, nays 0.....
	Signed by the president.....		Signed by the president.....
1723			2319
2043		567	By Sifting Committee. Legalizing warrants issued by the school district of Fairbank.
2043			Referred to committee.....
2043			Committee reports .....
2188			Passed; ayes 34, nays 0.....
557	By Committee on Public Health. Giving authority to employ visiting or public health nurses.		2132
	Reported for passage.....		Signed by the president.....
	Passed; ayes 35, nays 0.....		2301
	Signed by the president.....	568	By Sifting Committee. Legalizing grant of franchise to utility company in Buchanan county.
2025			Referred to committee.....
2023			Committee reports .....
2135			Passed; ayes 37, nays 0.....
559	By Committee on Insurance. Relating to exemption of insurance policies and the proceeds thereof from execution and taxation.		2140
	Referred to sifting committee... ..		Signed by the president.....
1925			2301
560	By Sifting Committee. Making state property subject to cost of improving any highway passing through such property.	569	By Sifting Committee. Legalizing an ordinance of Hazelton for a franchise.
	Referred to committee.....		Referred to committee.....
	Re-referred .....		Reported for passage.....
	Reported for passage.....		Passed; ayes 38, nays 0.....
	Passed; ayes 34, nays 0.....		Signed by the president.....
	Signed by the president.....		2301
1813		570	By Sifting Committee. Legalizing ordinances at Oelwein in relation to a franchise.
2043			Referred to committee.....
2151			Committee reports .....
2158			Passed; ayes 39, nays 0.....
2301			Signed by the president.....
561	By Sifting Committee. Making closed season for wild duck, goose, etc., commence December 16th instead of April 15th.		2304
	Referred to sifting committee... ..		Committee reports .....
2088			Passed; ayes 38, nays 0.....
562	By Sifting Committee. Relating to the service of notice on unknown persons.		Signed by the president.....
	Referred to sifting committee... ..		2301
1945		573	By Committee on Appropriations. The omnibus appropriation bill making appropriations for all general state purposes.
563	By Sifting Committee. Authorizing the board of control to close a state institution when the cost of maintaining it becomes excessive.		Considered .....
	Referred to committee.....		Passed; ayes 38, nays 0.....
	Referred .....		Signed by the president.....
	Reported for passage.....		2305
	Passed; ayes 34, nays 0.....		2378
	Signed by the president.....		
1629			
1818			
1998			
1777			
1938			
1940			
1946			
1949			
2117			
2301			
1723			
2043			
2043			
2043			
2188			
2025			
2023			
2135			
1925			
1813			
2043			
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2158			
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2088			
1945			
2305			
2305			
2378			



# SENATE ACTION ON SENATE JOINT RESOLUTIONS

S. J. R.	Page	S. J. R.	Page
1 By Whitmore. Ratifying a proposed amendment to the constitution of the United States relating to prohibition of use of intoxicating liquors.		6 By Foskett. Relating to the transfer of certain war funds appropriated by the 37th General Assembly.	
Introduced and referred .....	60	Introduced and referred .....	299
Reported a substitute .....	67	Reported for passage .....	389
Report adopted .....	67	Passed; ayes 36, nays 0 .....	546
Passed; ayes 42, nays 7 .....	70	Concurs in amendments; ayes 25, nays 0 .....	750
Reported correctly enrolled .....	207	Reported correctly enrolled .....	821
Signed by the president .....	208	Signed by the president .....	823
Sent to the governor .....	214	Sent to the governor .....	850
Signed by the governor Jan. 28 .....	219	Signed by the governor Mar. 8 .....	890
2 By Rule. Relating to the compensation of officers and employees of the general assembly.		7 By Rule. Proposing to amend the constitution of the state of Iowa so as to remove the sex discrimination on the matter of voting.	
Introduced, rules suspended .....	77	Introduced and passed on file .....	857
Failed to pass; ayes 21, nays 23 .....	139	Passed; ayes 47, nays 1 .....	886
3 By Special Committee. Relating to additional employees for the general assembly.		Reported correctly enrolled .....	1360
Passed on file .....	163	Signed by the president .....	1364
Amendments offered and lost .....	156	Sent to the governor .....	1420
Passed; ayes 81, nays 12 .....	217	Signed by the governor Mar. 28 .....	
Concurs in amendments; ayes 42, nays 0 .....	291	8 By Kingland. To amend the constitution so as to provide for state taxation of incomes.	
Reported correctly enrolled .....	299	Introduced and referred .....	857
Signed by the president .....	300	Reported for passage .....	1292
Sent to the governor .....	312	Failed to pass; ayes 11, nays 31 .....	1511
Signed by the governor Feb. 5 .....	340	9 By Van Alstine. Providing for new desks in the legislative halls and appropriating therefor.	
4 By Parker. Relating to the reinstatement of discharged sailors and soldiers to their former positions.		Introduced and passed on file .....	1761
Introduced and referred .....	177	Failed to pass; ayes 22, nays 19 .....	2053
Reported for amendment .....	313	Motion filed to reconsider .....	2054
Amendment adopted .....	335	Reconsidered .....	2153
Passed; ayes 43, nays 0 .....	335	Failed to pass; ayes 24, nays 20 .....	2153
5 By Special Committee. Fixing the compensation of officers and employees of the general assembly.		10 By Whitmore. For joint legislative committee to confer with state highway commission in the matter of road improvements under the federal act.	
Introduced and passed on file .....	295	Introduced and passed on file .....	1956
Amendment adopted .....	223	Failed to pass; ayes 8, nays 24 .....	1992
Passed; ayes 47, nays 0 .....	224	11 By Foster. Authorizing the committee on retrenchment and reform to extend the time for codification of the Code.	
Reported correctly enrolled .....	286	Introduced on .....	2005
Signed by the president .....	289	Passed; ayes 42, nays 0 .....	2037
Sent to the governor .....	299		
Signed by the governor Feb. 5 .....	306		

## SENATE ACTION ON HOUSE JOINT RESOLUTIONS

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<p>1 By Weaver. Proposing an amendment to the constitution authorizing cities to acquire ground for art or memorial buildings.</p> <p>Referred to committee.....1253</p> <p>Reported without recommendation .....1420</p> <p>Re-referred .....1595</p> <p>Reported for passage.....1680</p> <p>Reported without recommendation .....1693</p> <p>4 By Committee on Appropriations. Approving estimate of cost, plans and specifications for buildings at the state college and university.</p>		<p>Referred to committee.....1723</p> <p>Reported for passage.....1881</p> <p>Passed; ayes 42, nays 0.....1934</p> <p>Motion filed to reconsider.....1972</p> <p>Reconsidered .....2144</p> <p>Amended .....2144</p> <p>Passed; ayes 39, nays 0.....2141</p> <p>Signed by the president.....2307</p> <p>5 By Committee on Motor Vehicles. Granting authority to make settlement of delinquencies in automobile licenses prior to 1919.</p> <p>Refers to sifting committee...1723</p> <p>Committee reports .....2019</p> <p>Passed; ayes 34, nays 0.....2020</p> <p>Signed by the president.....2188</p>	

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- Adjournment of Legislature Jan. 16, to Jan. 21, by Kimball; offered and adopted, 79; House concurs, 93.
- Sioux City, appreciation of, by Greenell; offered, adopted, and committee appointed, 1942; joint committee reports, 2289; House concurs, 2346.
- Chair and gavel, relative to presentation of for Speaker of House and President of Senate, by Parker; offered and adopted, and committee appointed, 1966; House concurs and appoints committee, 2026.
- Chairs for committee clerks, by Ball; offered and adopted, 558; House concurs, 601; committee appointed, 604.
- Committee books, printing of, by Whitmore; offered, 135; adopted, 136; House concurs, 162.
- Cullison, Shelby M., appointment of, to advise members, also appointment of stenographer to assist, by Buser; offered, 145; withdrawn, 207.
- Daylight saving, members of congress urged to use influence for, by Ratcliff; offered and laid over, 858; adopted, 907; House concurs, 1006.
- Cummins, Albert B., requested to address joint session, by Haskell; offered and adopted, 1034; House concurs, 1043; House asks return of, 1068; House amends, 1081; Senate concurs in amendment, 1081; addresses Senate, 1366.
- Document Editor, relative to preparing list of laws enacted during session, by Whitmore; offered and adopted; 879; House concurs, 1250.
- Employees, additional, committee to nominate, by Rule; offered and adopted, 11; House concurs in, 16; committee makes report, 76.
- Governor Harding, inauguration of, by Parker; offered, 6; House concurs, 12; committee reports, 71; joint convention for, 80.
- Legalizing acts, printed in journals only at expense of interested parties, by Foskett; offered, 136; offered and adopted, 146; House substitutes and Senate receives, 177; Senate concurs, 179.
- League of Nations, indorsing establishment of, by Van Alstine; offered and laid over, 76.
- Methodist Episcopal church, relative to conference of, in Des Moines, by Proudfoot, offered and adopted, 1212; House concurs, 1248.
- Misappropriation of funds, relating to Panama exposition, by Evans; committee appointed to investigate, 1660; offered and adopted, 1677; House concurs, 1788.
- Officers and employees, compensation of, by Holdoegel; offered and adopted, committee appointed, 183; House concurs, 188; committee reports, 205.
- Rainbow division, relating to appropriation of fund for reception of 168th infantry, by Rule; offered and adopted, 1900; House concurred, 1918.
- State institutions, relative to transfer of funds for support of, by Foskett; offered, 1129; adopted, 1221, House concurs, 1326.
- Sailors and Marines, relating to six months pay after discharge, by Kimball; offered, 2087; adopted, 2133; House concurs, 2181.
- Taft, William Howard, asked to address joint session, by Proudfoot; offered and adopted, 1993; House concurs, 1995; addresses joint assembly, 2003.
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- Adjournment of Legislature, final; Senate receives, 1627; amended and adopted, 2142; House concurs, 2159.
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- Books and stationery of members to be sent home; Senate receives, 1498; concurs, 1501.
- Calendar, House and Senate, relative to being placed on desks of members each day; received, 668; concurs, 669.
- Chairs, relative to purchase of by members, Senate receives, 2216; concurs, 2217.
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- Freight rates, relating to memorializing congress; Senate receives, 1249; concurs, 2308.
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- Housing law, printing, Senate receives, 1627; concurs, 1888.
- Legislative Manual, compilation of; Senate receives, 224; considered and laid over, 228; substitute offered, 232; adopted, 233; House gives notice of concurrence, 275.
- Mott, Jno. R., requested to address joint session; Senate receives, 162; concurs, 162; Mott addresses session, 190.
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- Roosevelt, Theodore, program in commemoration of; Senate receives, 253; appoints committee, 259; House reports concurrence, 286; joint committee reports and Senate approves, 293; resolution offered by King, adopted, 370.
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- Capitol extension, requesting report from Executive Council, by Whitmore; offered and laid over, 184; adopted, 206.
- Chairs, relative to purchasing of for officers G. A., by Foskett; offered and adopted, 1199.
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- Committee clerks, appreciation for, by Stoddard; offered and adopted, 2152.
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- To pay Welker Given for injuries, \$2,250. S. F. 147, Greenell.
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 Pave highway near hospital at Cherokee. S. F. 103, Coburn.  
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 Admissions to the soldiers' home. S. F. 132, Arney.  
 Increasing compensation of members of board of control. S. F. 144, Foster.  
 Relating to salaries of heads of institutions. S. F. 158, Schaffter.  
 Salary of the superintendent at Glenwood. S. F. 160, Ratcliff.  
 Commitments to certain state institutions. S. F. 165, Horchem.  
 To change institution at Knoxville to normal school. S. F. 194, Price.  
 Additions to waterworks at Cherokee. S. F. 196, Coburn, and H. F. 216, Lacklin.  
 Salary of commandant at soldiers' home. S. F. 294, Arney.  
 Relating to home for delinquent children. S. F. 227, White.  
 Securing title to certain buildings at penitentiary. S. F. 422, Fralley.  
 To change Knoxville institution to vocational schools. S. F. 371, Rule.  
 Protection of feeble-minded from dangerous drugs. S. F. 392, Ratcliff.  
 Detention of inmates of institution for feeble minded. S. F. 394, Ratcliff.  
 To abolish the parole board. S. F. 493, committee on departmental affairs.  
 For a state cement plant under board of control. S. F. 467, Evans.  
 Appropriating for track at soldiers' home. S. F. 516, committee on appropriations.  
 Relating to institution for feeble minded. S. F. 525, committee on board of control.  
 Rules of admission to the soldiers' home. S. F. 245, Scott of Marshall.  
 Admission to sanitarium for tuberculosis. H. F. 318, committee on board of control.  
 Increase in pay for superintendent at Glenwood. H. F. 187, Durbin.  
 Appropriating for cottage at Mitchellville. H. F. 502, Alderman.  
 Relating to expenses of inspection. H. F. 528, Lake.  
 Authority to close an institution. H. F. 563, sifting committee.

## STEPHENSON, JAS. A.—Senator Fifth District.

Introduces Senate File Nos. 137, 138, 355.	
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## STREET RAILWAYS—

- Requiring safety equipment on street cars. S. F. 290, Whitmore.  
 Fares of street railways. S. F. 526, committee on railroads.

## STODDARD, B. M.—Senator Thirty-second District.

Introduces Senate File Nos. 23, 174, 175, 176, 177, 299, 385, 416, 453, 454, 456.	
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Relating to the amount of a surety bond. S. F. 351, Newberry.	
Relating to forms of surety bonds. S. F. 452, Kingland.	
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## SURVEYS—

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Relating to levy for sewer funds. S. F. 188, Schaffter.	
Change in limit of tax levies in cities and towns. S. F. 190, Frailey.	
Relating to tax levy for roads. S. F. 285, Foskett.	
To fix compensation on collateral tax matters. S. F. 207, Schaffter.	
Relating to a state income tax. S. J. R. 8, Kingland.	
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Assessment of the stock of banks. S. F. 454, Stoddard.	
Exemption of certain forms of taxation. S. F. 453, Stoddard.	
Increasing tax exemption for soldiers and sailors. S. F. 405, Whitmore.	
Equalization of taxes by township trustees. S. F. 391, Horchem.	
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Exemption of soldiers for taxes on land. S. F. 381, Wilson.	
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Notice to delinquent taxpayers. S. 374, Arney.	
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Distribution of penalties on delinquent taxes. S. F. 376, Arney.	
Relating to notice of redemption. S. F. 502, Judiciary No. 2.	
Collateral tax bureau established. S. F. 537, committee on appropriations.	
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- Increasing the tax on dogs. H. F. 163, Hook.  
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 Relating to taxes for beautifying a lake. H. F. 130, Williams.  
 Relative to tax levy for park improvement. H. F. 131, Williams.  
 Relating to allowance for shrinkage in tax estimates. H. F. 84, Weaver.  
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**TAYLOR, THOS. E.—Senator Thirty-third District.**

- Introduces Senate File Nos 122, 125, 195, 251, 288, 388, 399, 400.  
 Leave of absence granted.....780, 828  
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- Relating to taxation of private lines. S. F. 150, White.  
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- Making usury a misdemeanor. S. F. 366, Kingland.

## VAN ALSTINE, H. S.—Senator Fiftieth District.

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## WHITE, HARRY C.—Senator Forty-fifth District.

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Relating to aid for widows who are mothers. S. F. 122, Taylor.
Proposed amendment of constitution for woman suffrage. S. J. R. 7, Rule.
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- Vote of women for presidential electors. S. F. 431, Schaffter.  
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